

aries of all postal clerks in first and second class offices—to the Committee on the Post-Office and Post-Roads.

By Mr. RAINEY: Petition of Illinois State Teachers' Association, for legislation favorable to simplified spelling—to the Committee on Printing.

By Mr. RANDELL of Louisiana: Petition of cotton raisers of Louisiana, for the Heflin antibucket-shop bill—to the Committee on Interstate and Foreign Commerce.

By Mr. REID: Papers to accompany claim of Winfield S. Jennings for supplies taken during war—to the Committee on War Claims.

By Mr. REYBURN: Petition of Philadelphia Association of Union Ex-Prisoners of War, requesting that the bill drawn in their behalf and offered at the last session of Congress be favorably reported by the committee—to the Committee on Pensions.

Also, petition of William H. Dow, against amendment in copyright bill relative to photographs in newspapers—to the Committee on Patents.

By Mr. ROBINSON of Arkansas: Petition of citizens of Hot Springs, relative to an act conferring jurisdiction on United States commission at Hot Springs, Ark.—to the Committee on the Judiciary.

Also, paper to accompany bill for relief of Mrs. Zerelda P. Allen and estates of William B. Pod and Mrs. Mollie Amanda Phillips, Jefferson County, Ark.—to the Committee on War Claims.

By Mr. RYAN: Resolution of National Business League, for revision of the public-land laws—to the Committee on the Public Lands.

Also, resolutions of National Business League, for consular improvement and commercial enlargement—to the Committee on Foreign Affairs.

Also, resolution of Chamber of Commerce of the State of New York, to increase the efficiency of the artillery of the United States Army—to the Committee on Military Affairs.

By Mr. SCHNEEBELI: Petition of Adolph C. Hottenroth, John Haffen, S. Feust, Judson G. Wall, of New York, for immediate currency reform—to the Committee on Banking and Currency.

Also, petition of National Business League, of Chicago, Ill., for permanent consular improvement and commercial enlargement—to the Committee on Foreign Affairs.

Also, petition of National Business League, of Chicago, Ill., for the conservation of the public domain, etc.—to the Committee on the Public Lands.

By Mr. SCROGGY: Paper to accompany bill for relief of Mary Johnson, George W. Irwin, and Sebastian Gerhardt—to the Committee on Invalid Pensions.

By Mr. SHEPPARD: Petition of citizens of Indian Territory, asking improvement of upper Red River—to the Committee on Rivers and Harbors.

Also, papers to accompany bill H. R. 24034 granting increase of pension to Mary I. Banta—to the Committee on Invalid Pensions.

Also, resolution of constitutional convention of new State of Oklahoma, asking improvement of upper Red River—to the Committee on Rivers and Harbors.

Also, resolution of Dennison Board of Trade and city council and citizens of Colbert, Ind. T., in behalf of improvement of upper Red River—to the Committee on Rivers and Harbors.

Also, petition of the Daily Advocate, of Paris, Tex., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SIMS: Petition of the Daily Sun, Jackson, Tenn., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SLAYDEN: Petition of Woodward Carriage Company, asking for settlement of claim for loss of horse in Department of Agriculture—to the Committee on Claims.

By Mr. SMITH of Maryland: Paper to accompany bill for relief of Isaiah Biddle—to the Committee on Invalid Pensions.

Also, petition of Tri-County Council, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. SOUTHARD: Resolution of Patriotic Order Sons of America, of New York, indorsing Senate bill 4403—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Petition of citizens of Seymour, Conn., against the Lodge-Gardner bill—to the Committee on Immigration and Naturalization.

Also, petition of Trades Council, New Haven, Conn., for ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of New England Waterworks Association,

against reduction of \$50,000 appropriation for Geological Survey—to the Committee on Appropriations.

By Mr. STANLEY: Paper to accompany bill for relief of John Coombs—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: Petition of citizens of Alabama, favoring passage of bill H. R. 21400—to the Committee on Naval Affairs.

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of heirs of Charles H. Foy—to the Committee on War Claims.

Also, paper to accompany bill for relief of estate of B. L. Robinson—to the Committee on War Claims.

By Mr. TOWNSEND: Petition of Camp Henry W. Lawton, Army of Philippines, Detroit, Mich., for House bill 18276 (badges for service in Philippines)—to the Committee on Military Affairs.

By Mr. VAN WINKLE: Petition of New Jersey State Horticultural Society, for minimum duty on dried and green apples by German Government—to the Committee on Ways and Means.

Also, petition of New Jersey State Federation of Women's Clubs, for regulation of child labor in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WADSWORTH: Petition of Thomas Smith et al., Niagara Falls, N. Y., against proposed amendment to copyright bill—to the Committee on Patents.

By Mr. WEEMS: Paper to accompany bill for relief of Henry W. Wilson—to the Committee on Invalid Pensions.

By Mr. WEISSE: Petition of The Reporter, against tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of State Camp of New York, Patriotic Order Sons of America, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, petition of Wisconsin State Federation of Labor, against ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Pennsylvania State Camp, Patriotic Order Sons of America, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, petition of Sheboygan Association of Stationary Engineers, against increased postage on trade and technical papers—to the Committee on the Post-Office and Post-Roads.

Also, petition of American Pilots' Association, against bill H. R. 5281 (pilots bill)—to the Committee on the Merchant Marine and Fisheries.

Also, petition of International Seamen's Union of America, against ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Camp, Patriotic Order Sons of America, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Mr. WELBORN: Petition of citizens of Springfield, Mo., favoring enlargement of powers of Hague peace conference—to the Committee on Foreign Affairs.

By Mr. WOOD: Resolution of New Jersey State Federation of Women's Clubs, in favor of regulating child labor in the District of Columbia—to the Committee on the District of Columbia.

By Mr. YOUNG: Petition of Michigan National Guard, Monroe, Mich., asking the reestablishment of the Army canteen—to the Committee on Military Affairs.

SENATE.

TUESDAY, January 15, 1907.

Prayer by Rev. JOHN VAN SCHAICK, Jr., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBERSON, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

ALLOTMENT OF INDIAN LANDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting a letter from the Commissioner of Indian Affairs relative to the petition of John Wadsworth for the removal of restrictions upon the alienation of his allotment in the Quapaw Agency, Ind. T.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior transmitting a letter from the Commissioner of Indian Affairs, together with the draft of proposed legislation in the matter of issuing a patent in fee simple to Frank Beaver, Peoria allottee No. 60, Quapaw Agency, Ind. T.;

which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

D. M. CARMAN, MANILA, P. I.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War transmitting, in further response to a resolution of December 17, 1906, a letter from the Quartermaster-General of the Army, making certain corrections in a previous report transmitted by him relative to the claims of D. M. Carman, of Manila, P. I., arising out of his contracts with the Department for lighters, cascos, or other means of transportation in the Philippines, etc.; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

THE FIVE CIVILIZED TRIBES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, recommending certain legislation authorizing the inspection of tribal records of the Five Civilized Tribes at any time by the Secretary of the Interior or his legal representative, and providing a penalty for refusal, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

SMITHSONIAN INSTITUTION MAIL MATTER.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, a statement of the mail matter entered at the Washington City post-office under the penalty privilege by the Smithsonian Institution and its bureaus from July 1 to December 31, 1906, inclusive; which, with the accompanying paper, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

REPORT OF CHESAPEAKE AND POTOMAC TELEPHONE COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Chesapeake and Potomac Telephone Company of the District of Columbia for the year 1906; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

S. 6364. An act to incorporate the National Child Labor Committee; and

S. 6578. An act to amend an act entitled "An act to provide for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, and to amend an act amendatory thereof approved June 20, 1906.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 9976. An act to provide for the appointment of an additional district judge in and for the southern district of the State of Ohio;

H. R. 17624. An act to amend an act entitled "An act to amend section 4405 of the Revised Statutes of the United States," approved March 3, 1905;

H. R. 19568. An act vacating Alexander place and Poplar street in the subdivision of a part of a tract called Lincoln, District of Columbia, and vesting title in the present owner;

H. R. 20990. An act to create a new division of the southern judicial district of Iowa and to provide for terms of court at Ottumwa, Iowa, and for a clerk for said court, and for other purposes;

H. R. 23201. An act to amend the act approved March 1, 1905, entitled "An act to amend section 4 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901;"

H. R. 23218. An act to authorize the Kentucky and West Virginia Bridge Company to construct a bridge across the Tug Fork of Big Sandy River at or near Williamson, in Mingo County, W. Va., to a point on the east side of said river in Pike County Ky.;

H. R. 23219. An act to authorize Majestic Collieries Company, of Eckman, W. Va., to construct a bridge across Tug Fork of Big Sandy River, about 2½ miles west of Devon, W. Va., a station on the Norfolk and Western Railway;

H. R. 23556. An act prohibiting the purchase or procurement, sale, gift, or disposition, of intoxicating liquors to minors by unlicensed persons; and

H. R. 24047. An act to authorize Chapter No. 376 of the Daughters of the American Revolution to erect a fountain on the property of the United States at Paducah, Ky.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the Vice-President:

H. R. 14811. An act to authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the national cemetery road at Vicksburg, Miss.; and

H. J. Res. 214. Joint resolution to provide for the printing of 16,000 copies of Senate Document No. 144, Fifty-ninth Congress, second session.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the conference of the foreign mission boards of the United States and the Dominion of Canada, praying for an investigation into the existing conditions in the Kongo Free State; which was referred to the Committee on Foreign Relations.

Mr. SCOTT presented a petition of 101 citizens of Pennsboro, W. Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PLATT presented a petition of the Chamber of Commerce of Troy, N. Y., praying for the enactment of legislation providing for a reclassification and increase in the salaries of postal clerks in all first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Colonel Stephen Y. Seyburn Camp, No. 13, United Spanish War Veterans, of Buffalo, N. Y., praying for the enactment of legislation to repeal the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented the petition of John T. Ryan, of the State of New York, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

He also presented a memorial of Local Grange No. 598, Patrons of Husbandry, North Manlius, N. Y., remonstrating against the enactment of legislation providing for the free distribution of seeds and plants; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the Methodist Episcopal Church of Delanson, N. Y., and a petition of the Woman's Christian Temperance Union of Delanson, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DEPEW presented petitions of the Woman's Christian Temperance Union of Burke; of Helen A. Palmer, of Plattekill; of the Woman's Christian Temperance Union of Yorkshire; of the Woman's Christian Temperance Union of Cortland, and of the Woman's Christian Temperance Union of Malone, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULBERSON presented the petition of John Crotty, of Texas, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

Mr. BURKETT presented sundry affidavits to accompany the bill (S. 6071) granting an increase of pension to George W. Patton; which were referred to the Committee on Pensions.

He also presented a petition of the Dark Tobacco Planters' Protective Association, of Tennessee, Kentucky, and Virginia, praying for the enactment of legislation to remove the tax on leaf tobacco; which was referred to the Committee on Finance.

He also presented a petition of 255 citizens of Surprise, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of sundry citizens of Amboy, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. BLACKBURN presented a paper to accompany the bill (S. 5319) for the relief of Joseph E. Lindsey, surviving partner of John Lindsey & Son; which was referred to the Committee on Claims.

He also presented a paper to accompany the bill (S. 5265) for the relief of C. B. Kinnett; which was referred to the Committee on Claims.

He also presented a paper to accompany the bill (S. 5274) for the relief of the estate of John H. Seebold, deceased; which was referred to the Committee on Claims.

Mr. LODGE presented the petition of Charles F. Wonson, of the State of Massachusetts, praying for the enactment of legis-

lation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

Mr. PROCTOR presented a petition of sundry citizens of Dorset and Rupert, in the State of Vermont, praying for an investigation into the existing conditions in the Kongo Free State; which was referred to the Committee on Foreign Relations.

He also presented the memorial of Arthur D. Wyatt, of Brattleboro, Vt., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

Mr. PENROSE presented the petitions of George W. Earl, jr., George C. Clegg, Mary E. Clark, Robert C. Q. Clark, and Robert S. Hainsburg, all in the State of Pennsylvania, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

He also presented a petition of the Joint Executive Committee on the Improvement of the Harbor of Philadelphia and the Delaware and Schuylkill Rivers, of Philadelphia, Pa., praying that an appropriation be made providing for a survey of the Delaware River for the purpose of securing a channel of adequate width and 35 feet in depth at mean low water from that city to the sea; which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Shunk, Pa., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. GEARIN, from the Committee on Pensions, to whom was referred the bill (S. 7768) granting an increase of pension to Alonzo P. Mann, reported it without amendment, and submitted a report thereon.

Mr. DEPEW, from the Committee on the Judiciary, to whom was referred the bill (S. 7034) to incorporate the International Sunday School Association of America, reported it with amendments, and submitted a report thereon.

Mr. KITTREDGE, from the Committee on the Judiciary, to whom was referred the bill (S. 7214) respecting proceedings in the courts of the United States in the western district of the State of Missouri, reported it without amendment, and submitted a report thereon.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 7147) to amend section 2536 of the Revised Statutes, relative to assistant appraisers at the port of New York, and further defining their powers, duties, and compensation, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 7146) to provide for the compensation of the appraiser of merchandise at the port of New York, reported it with amendments.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 7800) to authorize the Norfolk and Western Railway Company to construct a bridge across the Potomac River at or near Shepherdstown, W. Va., asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

Mr. FULTON, from the Committee on Claims, to whom was referred the bill (S. 7271) for the relief of Rathbun, Beachy & Co., reported it without amendment.

ADDITIONS TO ROCK CREEK PARK.

Mr. SCOTT. I am directed by the joint committee authorized by section 25 of an act to increase the limit of cost of certain public buildings, etc., to take into consideration the advisability of purchasing a proposed addition to Rock Creek Park, the so-called "Meridian Hill site," the so-called "Carpenter and Pennsylvania Avenue Heights tracts," and the so-called "Montrose tract," on Georgetown Heights, for park purposes, to submit a report. I ask that it may be printed in the RECORD.

There being no objection, the report was ordered to lie on the table, and to be printed in the RECORD, as follows:

To the Congress:

The joint committee authorized by section 25 of an act to increase the limit of cost of certain public buildings, etc., to take into consideration the advisability of purchasing a proposed addition to Rock Creek Park, the so-called "Meridian Hill site," the so-called "Carpenter and Pennsylvania Avenue Heights tracts," and the so-called "Montrose tract," on Georgetown Heights, for park purposes, beg leave to report as follows:

Your committee has given much attention to the hearings held at various times before the District Committees of both Houses, and, after thoroughly examining the testimony presented, made a careful personal inspection of each of the proposed sites.

It found, in reference to the proposition for the purchase of the so-

called "Carpenter tract," that beyond the Eastern Branch of the Anacostia River there is no large public park, and that there is a popular demand and necessity for such a reservation. This tract is beautifully located, covered with timber, and affords a magnificent view of the city. It contains about 140 acres and can be purchased at a much lower price now than in the future.

The committee found that that section of the city formerly known as Georgetown is entirely lacking in parks, and are of the opinion that the Montrose tract, on Georgetown Heights, is the most desirable and reasonable in that locality.

The proposed addition to Rock Creek Park runs along the western boundary of Rock Creek and extends up the valley of a small branch running approximately parallel to Massachusetts avenue. The valley of this branch is very deep, and the land abutting the creek is covered with a growth of large and beautiful trees. This land has been owned by two or three different estates, and up to the present time the property remains undeveloped. It comprises about 88 acres, and its addition to Rock Creek Park would be of great benefit not only to that section of the city, but to the beautification of the park itself. It is easy of access and within a few years will undoubtedly be surrounded by quite a dense population.

The acquisition of the land contained in Hall and Elban's subdivision, or Meridian Hill, is believed to be particularly desirable. About 10 acres lie between Euclid street, Columbia avenue or Fifteenth street, W street or Florida avenue, and Sixteenth street extended. The reservation proposed is similar to the smaller reservations or parks now existing throughout the District of Columbia, such as Lincoln Park, Judiciary Square, Franklin and Lafayette squares. There are no parks of this type north of Florida avenue nor south of Pennsylvania avenue, the breathing spaces nearest thereto being located about a mile from each of said sections. The territory surrounding it is being rapidly improved, and a park in the midst of one of the densely populated portions of the city would demonstrate its utility as well as its beauty. In addition, this proposed reservation might also be utilized for governmental purposes, such as the construction of buildings, the laying out of gardens, etc. From the crown of the hill there is a commanding view of the city and the Potomac River.

For these reasons your committee are unanimously of the opinion that the bills now pending before Congress should be enacted into laws. It is believed that the prices indicated are as good as can be secured and considerably less than they will be for many years to come. The Senate has already placed itself on record as favoring the procurement of these tracts, and it is hoped that the House will take similar action.

N. B. SCOTT.
J. H. GALLINGER.
JO. C. S. BLACKBURN.
RICHARD BARTHOLOMT.
E. C. BURLEIGH.
J. H. BANKHEAD.

INSANE ASYLUM IN OKLAHOMA.

Mr. DICK. The bill (H. R. 13675) to ratify and confirm the acts of the legislative assembly of the Territory of Oklahoma, passed in the year 1905, relating to an insane asylum for the Territory of Oklahoma, and providing for the establishment and maintenance of an insane asylum for the Territory of Oklahoma at Fort Supply, in Woodward County, Okla., and making appropriations therefor, was reported from the Committee on Territories on a poll of the committee. For the purpose of making a formal report, I ask that the bill be recommitted to the Committee on Territories.

The VICE-PRESIDENT. Without objection, it is so ordered.

Mr. DICK. I now report the bill back from the Committee on Territories favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INTERNATIONAL PRISON CONFERENCE.

Mr. PLATT, from the Committee on Printing, reported the following order, which was considered by unanimous consent, and agreed to:

Ordered, That the report of the Commissioner for the United States on the International Prison Commission of the proceedings of the seventh International Prison Conference, held at Budapest, September 3-9, 1906, be printed as a document.

PUBLIC DOCUMENTS FOR THE PHILIPPINE GOVERNMENT.

Mr. PLATT. I am directed by the Committee on Printing to report back favorably without amendment the bill (H. R. 19754) to provide for the distribution of public documents to the library of the Philippine government at Manila, P. I., and I ask for its present consideration.

The Secretary read the bill, and there being no objection, the Senate as in Committee of the Whole proceeded to its consideration. It directs the superintendent of documents to supply one copy of each document delivered to him for distribution to State and Territorial libraries and designated depositories to the library of the Philippine government, in the city of Manila, P. I.; and the Public Printer is directed to print, bind, and deliver to the superintendent of documents the extra number of documents required to comply with this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. SCOTT introduced a bill (S. 7819) granting a pension to Joseph Logsdon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7820) granting an increase of pension to Benjamin B. Cravens;

A bill (S. 7821) granting an increase of pension to William G. Cummings; and

A bill (S. 7822) granting an increase of pension to William N. Bronson.

Mr. FRAZIER introduced a bill (S. 7823) for the relief of the estate of Evelina V. Busby (née Blackman), deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 7824) authorizing the extension of Forty-fifth street NW.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT introduced a bill (S. 7825) granting an increase of pension to Garrett Rockwell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 7826) for the relief of the heirs of John R. Elliott; which was read twice by its title, and referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 7827) permitting the building of a railway bridge across the Mississippi River in Morrison County, State of Minnesota; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BURKETT introduced a bill (S. 7828) to authorize the extension and enlargement of the post-office building in the city of Fremont, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WHYTE introduced a bill (S. 7829) to amend sections 190, 193, and 194 of the Code of Law for the District of Columbia in relation to the coroner of the said District and inquisitions before him; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. CRANE introduced a bill (S. 7830) granting an increase of pension to Wilbur A. Stiles; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 7831) granting an increase of pension to William H. Grandaw; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 7832) for the relief of Samuel P. Martin; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 7833) for the extension of School street NW., District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 7834) to amend an act entitled "An act to amend an act entitled 'An act to divide the judicial district of North Dakota,' approved April 26, 1890," approved June 29, 1906; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DICK introduced a bill (S. 7835) granting an increase of pension to Zachariah T. Houseman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7836) for the relief of David W. Stockstill; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DUBOIS introduced a bill (S. 7837) to amend an act entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,' regulating proceedings for condemnation of land for streets;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. KITTREDGE introduced a bill (S. 7838) granting an increase of pension to Ole Gunderson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WARNER introduced a bill (S. 7839) granting to Peter McMillen and Lewis L. Allen the right to bring suit in the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7840) granting an increase of pension to Lewis A. Towne;

A bill (S. 7841) granting an increase of pension to Frank De Noyer; and

A bill (S. 7842) granting an increase of pension to E. C. Stevens.

Mr. HALE introduced a bill (S. 7843) granting an increase of pension to Isaac Oakman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 7844) granting an increase of pension to Royal E. Bentley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. TILLMAN introduced a bill (S. 7845) granting a pension to Lola B. Hendershott and Louise Hendershott; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 7846) for the relief of the legal representatives of Louis Kahn;

A bill (S. 7847) to reimburse A. J. Cauffman, of Girard, Erie County, Pa., in the sum of \$300, together with interest thereon from October 16, 1862, for soldier furnished United States, being the amount paid by him to one Charles Morton, as a substitute; and

A bill (S. 7848) for the relief of the Corn Exchange National Bank, of Philadelphia, Pa.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 7849) granting thirty days' leave of absence with pay each year to members of the Metropolitan police of the District of Columbia; and

A bill (S. 7850) to construct a road along the south bank of the Anacostia River.

Mr. PENROSE introduced a bill (S. 7851) for the relief of J. M. Bloom; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 7852) to amend section 1754 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7853) granting an increase of pension to Charles S. Keniston;

A bill (S. 7854) granting a pension to George W. Schmidt, or Smith;

A bill (S. 7855) granting an increase of pension to Daniel Brewer (with accompanying papers);

A bill (S. 7856) granting an increase of pension to John Smith;

A bill (S. 7857) granting an increase of pension to Orlando Dieffenbach;

A bill (S. 7858) granting an increase of pension to Samuel A. Wehr (with accompanying paper);

A bill (S. 7859) granting an increase of pension to Christian Paul;

A bill (S. 7860) granting an increase of pension to Ignatz Gresser;

A bill (S. 7861) granting a pension to Hannah Tomlinson;

A bill (S. 7862) granting an increase of pension to Elias Loughner (with accompanying papers);

A bill (S. 7863) granting an increase of pension to John Manley;

A bill (S. 7864) granting an increase of pension to Jacob Gross (with accompanying papers);

A bill (S. 7865) granting an increase of pension to Emily S. Beale;

A bill (S. 7866) granting an increase of pension to John Moore (with accompanying papers);

A bill (S. 7867) granting an increase of pension to Robert R. Beatty (with an accompanying paper);

A bill (S. 7868) granting an increase of pension to Roderick Frazier;

A bill (S. 7869) granting an increase of pension to John Burns;

A bill (S. 7870) granting an increase of pension to Albert Bennington;

A bill (S. 7871) granting a pension to Catharine C. Hayes;

A bill (S. 7872) granting an increase of pension to Gilbert H. Keck;

A bill (S. 7873) granting a pension to Ella K. Wolf;

A bill (S. 7874) granting an increase of pension to Benjamin Keller (with accompanying papers);

A bill (S. 7875) granting a pension to William Redman;

A bill (S. 7876) granting a pension to Sarah Schafhirt;

A bill (S. 7877) granting an increase of pension to Thomas D. Marsh; and

A bill (S. 7878) granting an increase of pension to Richard J. Gibbs (with an accompanying paper).

Mr. KNOX introduced a joint resolution (S. R. 83) authorizing the building of dams and locks Nos. 1, 2, and 3 in the Youghiogheny River, Pennsylvania; which was read twice by its title, and referred to the Committee on Commerce.

OMNIBUS CLAIMS BILL.

Mr. BRANDEGEE (by request) submitted an amendment intended to be proposed by him to the bill (H. R. 19003) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and to provide for the payment of French spoliation claims recommended by the Court of Claims under the provisions of the acts approved January 20, 1885, and March 3, 1891, and for other purposes; which was referred to the Committee on Claims, and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BURKETT submitted an amendment proposing to appropriate \$140,000 for the acquisition of about 16,000 acres of land adjacent to the military reservation at Fort Robinson, Nebr., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. KITTREDGE submitted an amendment proposing to appropriate \$8,200 to pay certain Sioux Indians at the Rosebud Agency, S. Dak., for losses claimed to have been sustained by these Indians on account of property taken from them by the United States military authorities in the years 1876, 1877, and 1878, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$3,000 for completing the industrial and domestic building, etc., at the Indian school at Flandreau, S. Dak., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$6,000 for the erection of a laundry building at the Canton, S. Dak., Indian Insane Asylum, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

REGULATION OF IMMIGRATION.

Mr. LODGE. I ask that there may be a reprint of the bill (S. 4403) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, as amended by the House of Representatives and now in conference between the two Houses.

The VICE-PRESIDENT. The Senator from Massachusetts asks for the reprint of a bill. Is there objection? The Chair hears none, and it is so ordered.

HENRY W. BLAIR.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 7337) granting a pension to Henry W. Blair. The bill was reported favorably from the Committee on Pensions yesterday.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-five" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry W. Blair, late lieutenant-colonel Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

Mr. GALLINGER. I move to amend the amendment by substituting "seventy-two dollars" for "fifty dollars." I think this is a case that does not need any argument, so I will leave it to the Senate.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISMISSAL OF THREE COMPANIES OF THE TWENTY-FIFTH INFANTRY.

Mr. FORAKER. I ask that Senate resolution 208 be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution indicated by the Senator from Ohio, which will be stated.

The SECRETARY. Senate resolution 208, directing the Committee on Military Affairs to investigate the Brownsville (Tex.) affray, etc.

Mr. SPOONER. Mr. President, yesterday when I yielded the floor I was in the midst of a colloquy with the Senator from Georgia [Mr. BACON], with whom I agree in part, but with whom I am compelled in part to disagree. I would not minimize, and never have consciously, the power of Congress, nor would I exaggerate in anywise the power of the Executive, My proposition—and I do not intend to spend much time upon it—concedes to Congress the full power which I think it possesses under the Constitution with reference to the Army, and it is very large, of course.

Congress is given power to raise and maintain armies and to provide a navy. The size of the Army is entirely for Congress to determine. The character of the Army as to different branches of the service is entirely for Congress to determine. The grade of officers and the number of officers are for Congress to determine. The oath of enlistment, the contract of enlistment are for Congress to determine. The duration of the term of enlistment is for Congress to determine. The pay and all that is for Congress to determine. The establishment of military tribunals, the definition of military offenses, the method of military trials, and the punishment that is to be administered are for Congress to determine. Congress determines where it will have military posts and where it will not, in time of peace, at least.

Congress may reduce the Army and provide for the muster out of officers, as it has often done, and may provide for the discharge of enlisted men, as it has always done, and which is always a part of the contract of enlistment. Congress can not make a contract for service in the Army with an officer, or, I think, with an enlisted man, which would be a contract protected by the Constitution of the United States against the power of the same or a succeeding Congress to reduce the Army, muster out officers, and discharge enlisted men.

See *Crenshaw v. United States*, Mr. Justice Lamar (134 U. S. 99).

The power of Congress to make rules for the "government and regulation" is a large one, but it is manifestly to be exercised in the manner clearly indicated by the clause itself.

I can not agree with the Senator from Georgia that the Commander in Chief, either in time of peace or war, is under the supreme control of Congress. The Constitution need not have made the President the Commander in Chief. Wisely, however, it did so, combining with executive power the power of command. It is conceded by the distinguished Senator from Ohio that in the absence of Congressional rules the President as Commander in Chief, the Congress having raised and appropriated money for the support of an army, but having failed to make rules for its government would, *ex necessitate rei*, have the power to make those necessary for the government of the Army and Navy. That would not be simply because of necessity, I think, but because the Constitution has made the President Commander in Chief without defining the functions. This involves the power to do those things which inhere in the office or are necessary to the discharge of the duties of the office.

The Constitution is to be read as a whole, and provisions *pari materia* are to be read together, each in the light of the other. No clause in the Constitution is to be so construed as to destroy another clause or clauses.

Now, I admit the power of Congress over the subject of enlistment. I admit Congress may say properly that no enlisted man shall be discharged before the expiration of his term of enlistment except upon the finding of a board of officers. I admit that the Congress may provide that no man shall be reenlisted unless his service during the preceding term was honest and faithful. This is one of the "rules" made by Congress now in force. I admit that Congress might provide—it would not—that men who shall have been dishonorably discharged by sentence of court-martial may be reenlisted in the Army upon making satisfactory proof to a board or complying with such other terms as the Congress might provide as showing changed behavior.

But there must be a distinction between the words "Congress may make rules for the government and regulation of the land and naval forces" and the words "Congress shall govern the land and naval forces." The one would make the power to govern absolute; the other is restrictive as to the manner in which the governmental power of Congress shall be exercised. I re-

peat on the point a few sentences already read, which certainly declare the law.

It is true that the Constitution has conferred upon Congress the exclusive power "to make rules for the government and regulation of the land and naval forces;" that the two powers are distinct; neither can trench upon the other; the President can not, under the disguise of military orders, evade the legislative regulations by which he is common with the Army must be governed, and Congress can not in the disguise of "rules for the government" of the Army impair the authority of the President as Commander in Chief. (28 Court of Claims, 221.)

Mr. FORAKER. Will the Senator give the citation?

Mr. SPOONER. It is 28 Court of Claims, the Swaim case, page 221. In that case it was held, and affirmed by the Supreme Court, that the President by virtue of his function as Commander in Chief may order a general court-martial.

Now, Mr. President, is there no function that is not subject to the control of Congress involved in the designation "Commander in Chief of the Army and Navy of the United States?" I have never heard it denied until yesterday that the assignment of officers to particular commands and the disposition of troops throughout the country was not a part of the power of command, and I was amazed that a lawyer of the great ability of my friend from Georgia should suggest—I do not know that he would contend for it—that Congress can provide that a particular officer shall be assigned to a particular troop or that where a regiment or a company has been assigned by the Commander in Chief to a particular State Congress can by resolution, which has the effect of law, countermand that order. If that is correct, it may fix the designation or location to which that command shall be transferred. I never heard it suggested before, Mr. President, that as commander of the Army and Navy the President has not the power to send the war ships hither and yon as in his judgment is best for the country and the people.

The President, as Commander in Chief, acting through the Secretary of War, having lawfully assigned a colored battalion or a colored regiment to Texas for duty, Congress could not constitutionally pass a resolution revoking that order, or, if it had been executed, requiring the President to transfer those troops from Texas to some other State. If the intense construction which the Senator from Georgia puts upon the word "government" in this clause is the law, the Constitution did not constitute the President Commander in Chief of the Army and Navy, but constituted him the *Adjutant-General of the Congress*, and gave him no power to issue a military order in time of peace not revocable and supplanted by a joint resolution of Congress. Pomeroy says of the powers of the Commander in Chief, *inter alia*, on page 472:

The President's duties in respect to these various subjects may thus be clearly defined and controlled by the legislature—

Indicating matters of Congressional jurisdiction with which I agree—

But in time of peace he has an independent function. He commands the Army and Navy; Congress does not. He may make all dispositions of troops and officers, stationing them now at this post, now at that; he may send out naval vessels to such parts of the world as he pleases; he may distribute the arms, ammunition, and supplies in such quantities and at such arsenals and depositories as he deems best. All this is a work of ordinary routine in time of peace, and is probably left, in fact, to the Secretaries of War and of the Navy and to military officers high in command.

The inevitable effect of the construction contended for by the Senator must lead to its rejection. If the power of Congress over the Army and over the Commander in Chief of the Army is as broad as he suggests, there is no order in time of peace which the President can make himself or through the Secretary of War which can not be countermanded or set aside by an act of Congress dealing solely with that order. If the Commander in Chief makes a lawful order discharging A. B. from the Army for the good of the service, he or some friend appeals to a Senator or Member of Congress to introduce and work for the passage of a joint resolution restoring A. B. to the Army, or, in effect, revoking the order of the Commander in Chief. It would be contended that a stigma had been put unjustly upon this man; that he had been discharged from the Army without a hearing; that he had been denied the right, which all men should have, to a "day in court." There would be no limit to the cases in which Congress would be asked to sit as a court of appeals for the review of errors committed by the Commander in Chief in individual cases and to set them aside. All through the Army the Congress, not the Commander in Chief, would be the ultimate power in the minds of enlisted men, and if anything can be imagined which would be destructive of discipline in the Army it would be such a system. Does the Senator think that an order lawfully made by the Commander in Chief, discharging without honor A. B., could be revoked by the Congress.

Mr. BACON. I do not want to interrupt the Senator; I did

not expect to take any part in this debate; I am agreeing with the Senator upon the conclusion he reaches; but I am simply differing from him as to the particular road over which he travels to reach it. But as the Senator directs himself to me so pointedly in the inquiry he has just propounded, without undertaking to go into any general discussion of the matter—which I am sure he recognizes would be improper and which I would not desire to do at this time—I simply call his attention, in response to the inquiry directly addressed to me by the Senator himself, to the fact that I presume he has in innumerable instances voted to correct the military record of soldiers who have been convicted by courts-martial of desertion.

Mr. SPOONER. Yes.

Mr. BACON. And correcting their record by name, legislating directly upon the point.

Mr. SPOONER. Yes.

Mr. BACON. Of course, the Senator will excuse me from elaborating or answering at large; but I simply suggest the possibility that that may be a reply to the inquiry propounded to me by the Senator.

Mr. SPOONER. Well, Mr. President, there can be no question but that would not be a rule for the regulation and government of the Army.

Mr. BACON. No; but, as I understood the Senator, his inquiry was addressed to the point whether or not Congress could legislate as to the particular individual, regarding anything which had been done by the direct order of the President. An order of a court-martial is under the authority of the President; and when a man is discharged by the judgment of a court-martial, he is practically discharged by order of the President. The inquiry of the Senator was, whether or not Congress could by legislation directly overturn the order of the President dismissing a man. It can overturn the order of a court-martial and restore a man to the rolls with honor, and make him eligible to draw a pension. It seems to me that that probably would be a case such as the Senator suggests.

Mr. SPOONER. No, Mr. President. There are a great many cases, thousands of them, cases that occurred during the war, cases as to officers and cases as to enlisted men, having nothing whatever to do with the current discipline of the Army, cases in which, during the excitement and the haste and the tumult of war, injustice has been done to soldiers, dishonorable discharges and dismissals from the Army by the President, and all that, in which Congress has afforded relief. But Congress has never passed an act upon the theory that it restored those men to the Army; that it made void the act of the President or the act of the court-martial.

Mr. BACON. I think that was done in the case of General Fitz-John Porter.

Mr. SPOONER. In the case of the naval cadets who had been dismissed by a court-martial, and as to whom we acted a year or so ago, they were not eligible under the law to reentry in the Naval Academy, and we passed a bill authorizing the President, in his discretion—thus removing the bar which Congress itself had imposed upon a reenlistment except for good and faithful service—authorizing the President to reappoint those men to the Naval Academy. So in the case of Fitz-John Porter, Mr. President, there was no attempt to review or to set aside the sentence of the court-martial or the order discharging him pursuant to its sentence. That was not reviewed, except for the purpose of ascertaining whether Congress would authorize the President to reappoint him.

Mr. LODGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. SPOONER. Certainly.

Mr. LODGE. Did not the President veto the Fitz-John Porter bill on the precise ground that Congress had no power to compel him to appoint any given man?

Mr. SPOONER. Yes; the bill was vetoed—unquestionably.

Mr. BACON. I beg the Senator's pardon. I ask the Senator from Massachusetts if he will not kindly repropound the inquiry? I did not hear it.

Mr. LODGE. I said that President Arthur had vetoed the Fitz-John Porter bill on the ground, as I recall it, that Congress had no right to compel him to appoint any man by name.

Mr. BACON. Yes.

Mr. LODGE. Which view has been universally sustained ever since. Now, when we wish to restore a man either to the Army or to the Navy we simply give the President discretion to do it if he chooses, and he need not do it if he does not want to.

Mr. BACON. I understand. Now, if the Senator from Wisconsin will pardon me a moment—

Mr. SPOONER. Yes.

Mr. BACON. There is no doubt about the correctness of the statement of the proposition made by the Senator from Massa-

chusetts, but it has no relation whatever to the question. The absence of the right of Congress to name a man who shall be appointed is dependent upon the clause of the Constitution which distinctly gives to the President of the United States the power of appointment both in civil and in military cases. It has no possible relation to this question. But in the case of the soldier who has been convicted of desertion and whose disabilities are distinctly removed, there arises no such question. There is a distinct proposition on the part of Congress to set aside that which had been determined by a court-martial under the authority of the President as Commander in Chief, not generally, but as to the distinct individual. It is done here every day; more often than I think it ought to be done.

Mr. SPOONER. I think so, too. There have been too many, but they do not bring the men back into the Army. They do not impeach the validity of sentences of a court-martial, or of executed orders lawfully made. A man whose service has been lawfully terminated can not again become a member of the Army except by reenlistment. That contract is at an end, and he can not become a member of the Army without a new contract. The bar of reenlistment might be removed by a general rule. I do not think it can be as to an individual case, or in individual cases similar to thousands of other cases. Of course Congress has absolute control over pensions.

I have never heard it claimed that Congress could revoke a valid order discharging a man, and thereby bring him back into the Army, or require that the President should reenlist him.

An act restoring these men or one of them to the Army would not in any sense whatever be a rule for the government and regulation of the Army. It would be an order or edict revoking the order made by the President for their discharge. Mr. President, if the Senator from Georgia is correct, there is no order which the Commander in Chief may make under the Constitution or the law which the Congress can not revoke and set aside; and that is, I submit, a dangerous proposition.

Mr. BACON. Will the Senator pardon me a moment?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. SPOONER. I do.

Mr. BACON. I repeat I do not desire to pursue the discussion, because I want the Senator to go on with his argument; but I desire simply to have my position correctly understood, and then I am perfectly willing for the Senator to combat it.

The Senator says that it is a dangerous proposition that Congress has supreme control over the Army and over the Commander in Chief of the Army. I simply desire to state, in response to that, that to my mind there could be no more dangerous proposition than that the great power of the Army and of the Navy, with all of the men who are embraced in them, and all the power given by the consolidation of all of these men, with all of their arms and munitions at the will of one man—there could be, to my mind, no more dangerous proposition than that that immense power, that irresistible power, is in the control and under the power of any one man, free from the control of the lawmaking power of this Government. That is my proposition.

So far as its discussion is concerned, of course that is manifestly impossible in colloquy, and I shall endeavor, unless the Senator appeals to me very directly, not to interfere with the course of his argument. I am content with a statement in opposition to what he has stated as to what I consider the dangerous proposition. I think just exactly the opposite to what he does as to where the danger lies. The danger does not lie in the control of Congress. No people were ever yet subjugated or had their liberty permanently overturned by a deliberative body. Many peoples have had them overturned and been subjugated when power was lodged in the hands of one man.

If there was one single principle which was sought to be embodied in our Constitution, one single principle upon which republican government must rest for its security, it is that absolute power shall not be given to any one man, and if there is one influence which runs through the entire Constitution it is the influence which seeks to take away from any one man supreme power and put in the Congress of the United States, in the lawmaking power of the United States—which consists, as the Senator knows, both of the Congress and the President—all of that supreme power. As I said on yesterday, in alluding to the second division, I think it is, of the first article of the Constitution, all the great powers of government are enumerated in that splendid delegation of power. In the powers delegated to Congress every royal power heretofore exercised by kings—let Senators analyze it and see whether or not I make too broad a statement—every solitary sovereign power theretofore exercised by kings, with the single exception of the pardoning power, was distinctly delegated to the Congress without exception.

If there is any possibility of doubt as to whether or not the construction the Senator puts upon it is correct—and of course there must be a possibility, or he would not contend for it; there must be a probability, or he would not contend for it—to my mind there can be no question of the general purpose of the Constitution to put the power in Congress and not rest it in the power of any one man. If that were the purpose it would be defeated if the Constitution is to be construed so that the word "government" can be qualified, because if it can be qualified to one degree it can be qualified to another, and if it can be qualified it is a question as to who shall qualify it. The President? Then he can qualify it so as to say that while this particular element of government is within the Congress when it comes to the Army, there is another particular feature of it which belongs to him, and ultimately, as I said on yesterday, the whole thing can be chipped away until the power of Congress becomes a mere shadow, and the substance of it is in the Executive. I beg the Senator's pardon for intruding so long.

Mr. SPOONER. I will not look at the Senator again, for if I do he considers that I am attacking him or his views.

Mr. BACON. No.

Mr. SPOONER. I have heard the Senator make that speech before.

Mr. BACON. If I could make it well, if I could express the idea in my mind, I could not make it too often.

Mr. SPOONER. The Senator always makes it well; but, Mr. President, it is absolutely inaccurate; it is in distinct contradiction of the whole philosophy of this Government; it is in utter disregard of the Constitution itself and of the distribution by the Constitution of power.

Absolute power in government in some degree has to be lodged somewhere. In our Government it is divided. The executive power, including power in respect of civil or military affairs, is given by the Constitution to the President, not to the Congress. The legislative power of the Government—and all lawyers know what that means—is given absolutely into the hands of Congress. The President has been given the power, when, in his judgment, it is wise, to say "stop;" to afford a *locus penitentie* to the Congress—an opportunity to reconsider—but under the Constitution it is in the absolute power of Congress, notwithstanding the President's objections, after they have been considered, to enact the law without his signature. If there be not a sufficient number to override the veto of the President, of course, the bill fails; but if it is the general sentiment of the Congress to enact a law, the President can not prevent it any more than the Congress, after the law has been enacted, can execute it.

And so of the judicial power, Mr. President. That is "vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish." The judicial power of the Constitution is beyond the reach of the Congress and of the Executive. Neither can exercise judicial functions.

The validity of the President's order of discharge can be tested any day. Any one of the 167 men who were discharged by this order can go into the Court of Claims and sue for his pay and test the question whether the President in ordering this discharge was beyond his lawful authority. It is a judicial function. Congress may properly only investigate with a view to changing existing rules for future operation.

In all these cases, Mr. President, except as to Members of Congress, there is but one remedy for the abuse of power. That is a remedy provided by the Constitution directly and indirectly, and it is the exclusive remedy.

Congress can not remove a judge of a "constitutional court" of the United States; the President can not remove a judge of a "constitutional court" of the United States. They can be impeached, but they can only be removed by the judgment and sentence of the men who sit in this Chamber, having taken an oath to act as judges.

Each House is given the power to protect itself against corruption in its membership, and that is a power that is absolute. It is not open to review by any other branch of the Government. It is beyond the reach of courts and Presidents. It is the power of expulsion.

Great discretionary power has been given to the President of the United States. Early in the history of the Government the President was given the power to call into active service—I have referred to it before—

Whenever the United States shall be invaded—

It does not say when he thinks it shall be invaded—

Whenever the United States shall be invaded, or be in imminent danger of invasion from any foreign nation or Indian tribe, it shall be lawful for the President of the United States to call forth such number of the militia of the State or States most convenient to the place of danger, or the scene of action, as he may judge necessary to repel such invasion.

The exercise of that power by the President was attacked upon the ground that there was no invasion, nor imminent danger of invasion. That is a tremendous power.

Mr. BACON. That is a statutory power.

Mr. SPOONER. Yes; it is a statutory power.

Mr. BACON. I simply desire to say, for fear that I might be misunderstood by those who did not hear me make the statement previously, that I entirely agree with the Senator that the President had the right to summarily discharge these troops. The only point of difference between the Senator and myself is that the Senator thinks the President has that right as a constitutional power, which can not be taken from him—

Mr. SPOONER. I have not claimed that. I am not obliged to claim that.

Mr. BACON. I think that he exercises the power under the statutes and under the Army Regulations, passed in pursuance of statutory law.

Mr. SPOONER. That is sufficient.

Mr. BACON. Yes; I think it is amply sufficient.

Mr. SPOONER. If he has lawfully exercised it.

Mr. BACON. I think he has.

Mr. SPOONER. If he has abused his power or usurped a power under circumstances for which he should be called to account, this is not the place to investigate it.

Mr. BACON. Now, the Senator—

Mr. SPOONER. I will leave that out.

Mr. BACON. The Senator has reached a point now on which I am not taking issue with him, and I have very grave doubts myself as to the contrary of what he states being true. I shall be very glad to hear from him on that line.

Mr. SPOONER. Human agencies, of course, must be employed in human governments, and in all human agencies there is the weakness; common to humanity. The framers of the Constitution knew when they drew this instrument that power, absolute power, must be lodged somewhere. They lodged the power of pardon absolutely in the President, left it entirely to his discretion, not subject to restriction or review by the Congress or by the courts. That is a great power. It would be an awful power in bad hands—the power to let loose, if a President were insane enough, the vilest of murderers and the most dangerous of assassins, lawbreakers, all over the land. But the power was lodged with the President, responsible only to public opinion for its exercise, and of course responsible in the manner provided by the Constitution for a corrupt exercise of it.

There has never been much abuse of power by the President in this country from the civil or military standpoint. There has been as much by Congress. If my recollection serves me aright, I have heard great denunciation at times against the legislation of Congress in the reconstruction acts and in various acts which affected sections, and in the light of to-day we can all see action by the Congress which was unwise. The Congress is not perfect. It is not the embodiment of human wisdom in the aggregate. It makes mistakes that are hurtful to the people, but it is responsible only to the people, and its acts are to be set aside only by the tribunal appointed for the purpose under the Constitution.

But, Mr. President, I pass from this phase of the subject, greatly regretting, notwithstanding its undoubted importance, to have spent so much time upon it. I have discussed it because it is the basis of my objection to the pending resolution, which is essentially a resolution to investigate the discharge of these men which was the act of the President. The distinguished Senator from Ohio has stated that he does not care merely for form of words, and his willingness to so remodel his amendment as that it shall provide for an investigation of the facts of the Brownsville affair without reference to the discharge of the enlisted men. There may be excellent reasons oftentimes why Congress should investigate facts, solely for the purpose of ascertaining whether or not reason exists for changing existing laws for future operation either as to the Army or otherwise.

Mr. President, I am not opposed to this investigation and have not been. I really do not know of anyone who is. I would have been better satisfied if the President had ordered a court of inquiry or a board of officers, entitled under the statute to summon witnesses, to administer oaths, so that under the forms of judicial procedure, with examination and cross-examination, this matter might have been investigated and every method known to such procedure exhausted, in order that those who were guilty might be identified, thereby identifying also the innocent. But it is plain enough that the President had a right to choose the method. He could have chosen either of the former, or he could lawfully commit the investigation to the officials of the Army, which he did. I am not sure what any of us would have done in his place differently from what he did.

Further inquiry into it is, at all events, without an investigation, probably impossible.

If the President had not included in his order the provision forever disqualifying the discharged soldiers from reenlistment, its legal effect would have been the same, for section 2 of the act of August 1, 1894, volume 28, page 216, provides that—

Hereafter all enlistments in the Army shall be for the term of three years, and no soldier shall be again enlisted in the Army whose service during his last preceding term of enlistment has not been honest and faithful.

A discharge without honor, under article 4, by the proper authorities would be a bar under the statute to reenlistment. I think, therefore, that part of the order is merely declaratory of existing law, except, possibly, as to the use of the word "forever." Of course its use could not prevent the Congress from enacting a rule upon the subject of reenlistments which would include these men. I see no theory upon which the validity of the portion of the order which attempted to forever or at all bar the discharged soldiers from serving in any civil capacity under the Government can be sustained. That disqualification could not be imposed upon conviction by a civil court, unless the law had provided it as part of the punishment. The message of to-day informs us that the President has reached that conclusion and, with characteristic promptness, has revoked that part of the order. The prophecy of the Senator from Ohio, in his speech the other day, that the President would, if he became convinced that the order was in any respect invalid, promptly revoke it was well justified.

POWER TO DISCHARGE.

Mr. President, I have proceeded upon the assumption that, barring the disqualification to which I have just referred, the order of the President was lawfully made, and I come now to the question whether the President possessed authority to discharge these enlisted men without honor.

Of course it is true as to this case, as the Judge-Advocate-General decided in 1891, in the case of the Fourth Cavalry, then stationed at Walla Walla, that the President has no power to disturb the legislative organization of the Army. Congress has, in the exercise of an unquestionable power, settled that matter. It has determined how many companies shall constitute a regiment of infantry and of cavalry and artillery, how many men shall constitute the maximum and the minimum of each; and this organization can not be changed except by Congress. If all the members of a company are destroyed it would not destroy the organization. It could be filled up by transfer or enlistment. There is no pretense that the President attempted to affect the organization. His order discharged without honor certain men, members of companies B, C, and D of the Twenty-fifth Infantry, serving at Brownsville, August 13, 1906. It did not embrace all the enlisted men of either company. It did not deal with organizations.

Mr. MALLORY. He discharged the men.

Mr. SPOONER. Yes; he discharged individuals. I presume by this time the organizations have been filled up. Men were ordered transferred from other companies, so as to give each company in the battalion its minimum, including those who were not discharged.

Mr. President, the question of power turns altogether, I think, on the construction of article 4 of the Articles of War, as to which able arguments have been made by Senators on the other side of the Chamber and by the Senator from Massachusetts [Mr. LODGE] on this side. I think he is the only Senator on this side of the Chamber who has spoken, aside from the Senator from Ohio [Mr. FORAKER], who, with his accustomed ability, has certainly said all that can be said upon his side of the question.

I do not care to repeat much of what has already been said, but to my mind it is a perfectly plain proposition that the President had lawful power, to be exercised in his discretion, not in yours or mine, to discharge these men without honor from the military service of the United States.

The Senator from Virginia [Mr. DANIEL] showed that this article, in substance, has been in force as long as the Army of the United States under the Constitution, almost, has been in existence. I do not believe it will ever be repealed. I do not believe the time will ever come when the Congress will deal such a blow to the discipline of the Army as to deprive the Commander in Chief of the power to discharge from the service men whom he thinks ought not for the good of the service to remain in it.

One man, without committing a court-martial offense, can demoralize the discipline of a good part of a company. Senators who have been soldiers have known it to be done. He may be guilty of mischief, of things that are not cognizable by court-martial, exerting influence of one sort or another which renders it absolutely adverse to the public interest that that person shall

remain in the Army. I remember one such instance in my own experience. There are a great many times when the public interest requires the discharge of a man or more than one man from a company, and for reasons, too, which would not justify a dishonorable discharge, which would not justify a sentence by court-martial, and for reasons, sometimes, which might hardly justify a discharge without honor; but the public interest demands the severance of the man's relation with the Army.

The fourth article of war is as follows:

No enlisted man, duly sworn, shall be discharged from the service without a discharge in writing.

That is absolute. Even a man sentenced by court-martial to be dishonorably discharged gets his discharge paper. "No man," it says; and the discharge is to be—

signed by a field officer of the regiment to which he belongs, or by the commanding officer when no field officer is present.

This follows:

and no discharge shall be given to any enlisted man BEFORE HIS TERM OF SERVICE HAS EXPIRED, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

It is not necessary to discuss whether the President, as Commander in Chief, possesses inherent power to terminate the contract of enlistment. Some lawyers think he does. Others think he does not. I do not know. This language does not negative it. It is restrictive language. No one can give a discharge to an enlisted man before the expiration of his term of service except these named officials and a court-martial; and of course naming the two who, without this authority, could not do it, if they had not named the President it would seem as if it were an attempt to exclude him.

So it stands now that the President, the Secretary of War, the department commander, or a court-martial can discharge an enlisted man from the service before the expiration of his term of service. Will some one tell me what limitation is put by that statute upon this power? The Senator from Ohio seems to think there is some. How and to what extent may this power to discharge enlisted men be exercised? The statute contains no limitation. It may be exercised as to one man or fifty men or a hundred and fifty men without violating any express or implied limitation in the statute. One looks in vain for any limitation upon the power. Will some one tell me what definition it makes as to the grounds upon which this power may be exercised? That also is left entirely without definition.

Another part of the statute qualifies it to this extent, that no man shall be dishonorably discharged except by the last-named power—a court-martial. I am unable to find either in logic or in the statutes anything which abridges the discretion of the President, the Secretary of War, or the department commander in the exercise of this power. Perhaps it ought to be restricted. The Congress may conclude some time to define the grounds or reasons which shall regulate its exercise. I do not believe it. At all events, the Senator who asserts that there is a limitation as to the number or as to the grounds upon which the power may be exercised ought to point it out. It has not been done. It can not be done, in my opinion.

The article uses the words "shall be given." That might imply that this power is only to be exercised—and my good friend, the Senator from Ohio, has almost implied that—upon the request of the soldier. That will not answer, because no soldier ever "requests" to be sentenced by a court-martial, and this word "given" applies also where the discharge is by sentence of a court-martial.

The Supreme Court, in the case of *United States v. Sweet* (189 U. S., 471), had occasion to consider the meaning of the word "discharge," in connection with travel pay, and also generally. Senators remember that it is provided by the Revised Statutes, section 1289, as amended by act of February 27, 1877 (19 Stat. L., 243), that travel pay, etc., is allowed "when an officer is discharged from the service, except by way of punishment for an offense." The same thing is provided as to enlisted men by section 1290, Revised Statutes.

In this case a lieutenant from Minnesota, by the name of Sweet—he was a second lieutenant of volunteers in the Army—tendered his resignation and was honorably discharged October 15, 1898, having been mustered in at St. Paul, his residence being Minneapolis, and he was not allowed travel pay. He sued for it in the Court of Claims, contending that under the statute every one discharged from the Army, officer or soldier, was entitled to the travel pay, unless he was discharged by way of punishment for a specific offense. The court held in the case, in accordance with the long-established rule of the Army, administered so long and so uninterruptedly as to have the force of law, that he was not entitled to travel pay because he had resigned. The court, through Mr. Justice Holmes, said:

It follows that the only question is whether the meaning of the long-used phrase is too clear for almost equally long-established practice to

control. It seems to us not to be so. It is quite true that in the military service the word "discharge" is the word applied to an order ending the service of an officer at his own request. But in other connections it conveys the notion of a movement beginning with the superior and more or less adverse to the object, as, for instance, when we speak of discharging a servant. Usually it is a slightly discrediting verb. If it is taken in its ordinary meaning here, the exception in case of a discharge by way of punishment raises no difficulty, because a discharge on resignation is not within the meaning of the principal clause.

And then they add that it is usual to state, as it is, on all discharges, except by way of punishment, that the soldier is entitled to travel pay.

I only read this with reference to any possible misconstruction of the word "given." The word "discharge" does not apply only to a discharge given on application, but is used as covering the whole ground where it is adverse and against the will of the soldier as well as where it is a favor to him.

This power has long existed, often been exercised, and rarely, if ever, abused. At all events, it certainly exists. The Congress has treated this power as entirely discretionary. It did so by chapter 860 of the Thirty-first Statutes at Large, page 708, which provides:

That when the Secretary of War, in the exercise of his discretion, has directed the discharge of any enlisted man of the regular or volunteer forces of the Army, and the orders or instructions directing such discharge stated that such enlisted men were entitled to travel pay, such order or direction shall be sufficient authority for the payment to the soldiers of the traveling allowances provided for by section 1290 of the Revised Statutes, etc.

This Congressional interpretation is confirmatory of the construction which the President and Secretary of War have placed upon it and for which we contend here, that it is an uncontrolled one. It is left uncontrolled in the faith that it will not be abused, but it is not so left that even an abuse of it affects the validity of its exercise, subject to the limitation to which I have alluded.

Mr. President, it will be observed that article 4 does not classify discharges. It covers the whole subject of discharges, honorable discharges, dishonorable discharges, discharges at expiration of term, discharges before expiration of term. It uses the word "discharge" in its generic sense.

A discharge without honor, which is neither an honorable nor a dishonorable discharge, but rather midway between the two, is the creature of regulations established and promulgated by the Secretary of War, with the approval of the President. The classification which includes it has been in effect about fifteen years, with the acquiescence of Congress. I do not doubt its validity. I do not remember to have heard it questioned.

I do not contend that the power of the President, directly or through the Secretary of War, to establish Army regulations is without limit. Such a proposition can not be maintained. The law upon the subject was declared by the Supreme Court, through Mr. Justice Harlan, in the case of *The United States v. Symonds* (120 U. S., 46), as follows:

The authority of the Secretary to issue orders, regulations, and instructions, with the approval of the President, in reference to matters connected with the naval establishment is subject to the condition, necessarily implied, that they must be consistent with the statutes which have been enacted by Congress in reference to the Navy. He may, with the approval of the President, establish regulations in execution of, or supplementary to, but not in conflict with, the statutes defining his powers or conferring rights upon others. The contrary has never been held by this court. What we now say is entirely consistent with *Gratiot v. United States* (4 How., 80) and *Ex parte Reed* (100 U. S., 13), upon which the Government relies. Referring in the first case to certain Army regulations and in the other to certain Navy regulations, which had been approved by Congress, the court observed that they had the force of law. (See also *Smith v. Whitney*, 116 U. S., 181.) In neither case, however, was it held that such regulations, when in conflict with the acts of Congress, could be upheld.

That these regulations are in execution of and supplementary to, but not in conflict with article 4 or any other statute seems to be plain.

I have wished that the phrase "without honor" could be changed. I have tried to think of some expression which would improve it. It is difficult to find one. Perhaps it can be done. This form of discharge evidently grew out of the Walla Walla affair, which occurred in 1891 and was in many of its features much like the Brownsville affair. Hunt, a gambler, shot and mortally wounded at Walla Walla a soldier of the Fourth Cavalry, a white man. He was arrested by the civil authorities and incarcerated in the jail. There was evidently great want of discipline in the command. (The colonel commanding at the time was afterwards tried by court-martial for neglect of duty, found guilty, and punished, for not having adopted proper safeguards to prevent what occurred.) A party of enlisted men of the Fourth Cavalry, from thirty to fifty in number, on the evening of April 24, 1891, surrounded and demanded entrance to the jail, and by means of threats to blow it up induced the sheriff to unlock the door and permit them to enter. They took Hunt into the jail yard and shot him to death. They not only committed a murder, but invaded the peace and dignity and

violated the laws of, a State in which the force for the time was located. The matter was investigated by a board of officers convened for the purpose.

It was impossible to identify the men. President Harrison then ordered a court of inquiry consisting of three very distinguished and experienced officers of the Army, each one of whom was a model soldier, to investigate and report upon the transaction—Brig. Gen. A. V. Kautz, Col. W. P. Carlin, a general during the war, and Col. Thomas M. Anderson, afterwards a general. With all their investigation they could not identify the men, and they knew how to investigate, and they understood the honor of the Army and knew what was essential to discipline and what is due from the soldier to the law.

They recommended in their report, among other things, as follows:

That in consideration of the fact that the enlisted men of the garrison of Fort Walla Walla have withheld and neglected to give information which would lead to the identification of the soldiers implicated in the killing of A. J. Hunt, the court further recommends that a reasonable time be given to the officers and enlisted men of the four troops of the Fourth Cavalry at Fort Walla Walla, Wash. (A, C, D, and H), to surrender to the civil authorities for trial all the enlisted men guilty of the crime attempted on the night of April 23, 1891, and actually committed on the night of April 24, 1891; and if upon the expiration of such period the guilty parties aforesaid shall not have been delivered up for trial, that the four troops of the Fourth Cavalry named be, in such manner as may be for the best interests of the service, disbanded.

The Judge-Advocate-General advised that the recommendation to disband the companies or troops could not as matter of law be executed; that the Congress had provided that each regiment of cavalry should consist of a fixed number of companies, each company of a specified number of noncommissioned officers and privates. He advised that the President possessed authority to discharge *all the men of the companies*, enlisting others in their places, but that the discharge would be in law *honorable as to the innocent and guilty alike*; that the *guilty could reenlist*; that such a discharge would be a *premium on crime*. He observed, moreover, as to the demeanor of the members of the command, as follows:

As to the demeanor of the enlisted force at Walla Walla, the comments of the court are fully borne out by the testimony in the record. It is also understood that these men had been similarly reluctant and secretive in their attitude toward the prosecuting officers, grand jury, etc., in the civil proceedings. This standing mute is evidently the result in part of a consciousness of guilt and in part of a false esprit de corps. The guilt of those who took part in the killing of April 24 is aggravated by the fact that Miller was living at the time, and their crime was clearly murder. The reticence of the rest—those who were cognizant of the violence committed, though not present—places them in a position equivalent or analogous to that of accessories after the fact. Their offenses, therefore, were of the gravest character.

I do not stop to discuss the question whether an officer or an enlisted man who knows of the commission of a crime against the laws of a State by an enlisted man and withholds that knowledge is punishable before a court-martial. I think he is. It is not so written, but it is probably to be considered conduct prejudicial to good order and military discipline.

But, Mr. President, whether punishable by court-martial or not, it is inherent in the contract of enlistment. It is essential to honest and faithful service. It is the duty of a soldier to maintain the honor of the corps. Self-respect requires a soldier to do it; loyalty to his organization and commander requires a soldier to do it; allegiance to and respect for law and order and good citizenship, all of which enter into it, require a soldier to do it.

The situation is not at all to be compared with the pranks of college students and the college code of honor, which precludes one student from "telling on" others. Such pranks are almost always purely mischievous, sometimes annoying, but rarely ever harmful or brutal. They are generally pardoned by the public because of the known tendency of young men banded together to make a noise and "have a time," and the refusal of one participant to betray another is generally commended, not reprobated. But what would be said of the conduct of a student who knew that one of his fellows had made a violent assault upon a girl, or had knocked down and robbed a roommate, or had done some other mean, cowardly, wicked thing and should conceal it?

The distinction between the two, Mr. President, is as broad as the sea. In one there is a sort of honor, a spirit of comradeship that hurts nobody, that is born in manly boys. In the other there is not a sense of honor; there is not the sense of pride which should lead a right-thinking man to feel "I am dishonored by this occurrence; my class and the college are degraded by it; we must have him out from among us or our standard among ourselves is lowered and degraded, and by ourselves."

At that time there was no regulation which enabled the Government to discharge in the interest of the service the guilty and the innocent without honoring the guilty as well as the innocent on the one hand or dishonoring the guilty and the innocent

on the other. That such an one was a necessity was clearly developed. So to meet such a case they adopted this regulation for the discharge without honor; and I venture to say, Mr. President, if the regulation had been in existence at that time and those four companies as individuals had been discharged without honor, the people of the United States would, without distinction of color, have applauded it as a proper exercise and a necessary exercise of discipline in the Army. I believe it.

Paragraph 148, upon the subject, is as follows:

Blank forms for discharge and final statements will be furnished by the Military Secretary of the Army, and will be retained in the personal custody of company commanders. Those for discharge will be of three classes: For honorable discharge, for dishonorable discharge, and for discharge without honor. They will be used as follows:

1. The blank for honorable discharge when the soldier's service has been honest and faithful, in which case he would be entitled to character at least "good."

2. The blank for discharge without honor when a soldier is discharged:

(a) Without trial, on account of fraudulent enlistment.

(b) Without trial, on account of having become disqualified for service, physically or in character, through his own misconduct.

(c) On account of imprisonment under sentence of a civil court.

(d) Where the service has not been honest and faithful; that is, where the service does not warrant his reenlistment.

(e) When discharge without honor is specially ordered by the Secretary of War for any other reason.

3. The blank for dishonorable discharge, for dishonorable discharge by sentence of a court-martial or military commission.

That latter (e) leaves the discretion with the Secretary of War, recognized by the statute to which I called attention a little time ago, just as the statutes left it, *without limit*.

The Senator from Ohio [Mr. FORAKER] argues—and argues, of course, with sincerity—that the President violated the law in discharging these soldiers without honor without first giving them thirty days' notice each, if possible, in accordance with paragraph 146, and an opportunity for investigation and determination by a board as to the character which should be given the discharge.

The Senator found in that evidence of great concern—he emphasized, I expect, that word a little—for the interest of the enlisted man by Congress. That regulation is not an act of Congress. It did not originate in Congress, as I recollect it, but was entirely the action of the President. Perhaps it was authorized. I have not examined the statutes to ascertain.

Mr. FORAKER. The regulations made by the President are authorized by act of Congress, and when the President and Secretary of War make new regulations and Congress acquiesces, the courts have held that that is the approval of Congress.

Mr. SPOONER. I know that.

Mr. FORAKER. So that it is just as I stated, and I was careful to say that these regulations—

Mr. SPOONER. But they were not enacted by Congress in the first place.

Mr. FORAKER. No; they were enacted by Congress only in the sense that the President and the Secretary of War had prescribed these regulations by authority of Congress.

Mr. SPOONER. Then what I said, that this concern for the enlisted man, this safeguarding of the enlisted man from injustice by a company commander, originated in the War Department, the executive department of the Government, and not in Congress is accurate. I am not prepared to believe that the Congress, which is not brought into very close connection with the Army in its personnel, as a rule, has more care for or interest in the good of the enlisted men of the Army than the officers who command them—than the President and the Secretary of War.

Upon what possible theory is it that the Senator from Ohio or any Senator can contend that paragraph 146 applies to the discharge of these enlisted men or that it is violated by the discharge of these enlisted men? Mr. President, the President is not above the law, and if Congress enacted these regulations he must be bound by them; but so long as they are regulations in force only because he made them, and Congress has not acted upon them, he is above them, for he can change them either as to individual cases or generally, provided only he does not violate an act of Congress.

When a soldier is entitled to discharge, not by favor of any one, but by virtue of his contract, he is entitled to have his true character as a soldier placed upon that discharge. It is important to him, very important to him, because it not only affects its value to him as a soldier and a man, something to be proud of or not, but it affects his right to reenlist, and it was a wise thing and a just thing for the President, through the Secretary of War, not to leave this matter of fixing the character of a soldier, when he was discharged at the end of his term, entirely to the man who has commanded him. There is pretty close daily contact between the captain of a company and his men. The captain of a company and the lieutenants of a company get to know not only

each man by name, but to know each man through and through. It is a close relation, and it often happens that officers have more or less friction with the private soldier and the commissioned officer. I know I found it so myself. My company commander had friction with me and I had friction with some men of my company; but I hope that if a man had been a good soldier, if his average had been good, I could not have done him an injustice or have permitted my judgment in fixing his character as a soldier to be governed or affected by my prejudice. I may be mistaken. There is a danger of it.

So it is provided by paragraph 146 that the character given on a discharge will be signed by the company or detachment commander, and great care will be taken that no injustice is done the soldier; that honest and faithful service shall entitle the soldier to character at least "good;" that where the company commander deems the service not honest and faithful he shall, if practicable, so notify the soldier at least thirty days prior to discharge. He shall notify at the same time the commanding officer, who is in every case to convene a board of three, if practicable, to determine whether the service has been honest and faithful, before which board the soldier shall have a hearing. If the company commander is the commanding officer he is obliged to report the facts to the next higher commander, who will convene the board. The finding of the board, when approved by the convening officer, is final. *A discharge without honor can be given only on the approved finding of such board of officers.* That is just, and therefore right.

But, Mr. President, with all deference to the Senator from Ohio—and no one likes him better or more admires him—I can not see any foundation whatever for connecting this paragraph and the proceedings under it with the discharge of the soldiers of this battalion, or with any discharge under the last clause of article 4, by the President, the Secretary of War, etc.

In the first place, Mr. President, *no company commander; no regimental field officer unless he is commander of a department, can give an enlisted man a discharge at all before his term of enlistment has expired.* That will not be disputed. The power to discharge can not be more explicit.

No enlisted man, duly sworn, shall be discharged from the service without a discharge in writing, signed by a field officer of the regiment to which he belongs, or by the commanding officer when no field officer is present.

If there is a field officer, and a man is entitled to his discharge, it is to be signed by a field officer or by the immediate commanding officer only when no field officer is present.

Then, what follows? An absolute prohibition of the discharge of any man from the service *before the expiration of the term of enlistment except by the President, by the Secretary of War, by a department commander, or by general court-martial.*

Analyzing the clause a little, Mr. President, how is it possible that the Senator from Ohio can be right in connecting paragraph 146 with a discharge under the last clause of article 4 of enlisted men *prior to the expiration of their term of enlistment?* The character of a discharge by court-martial is *irrevocably fixed by the court itself.* Certainly the Senator from Ohio can not successfully contend that where a man is sentenced to dishonorable discharge, or to discharge without honor, by a court-martial, before he shall be given such a discharge the character is *to be fixed by his company commander or by a board of officers, under the provisions of paragraph 146.* That, of course, is inconceivable.

The power of the President, the Secretary of War, and the commanding officer of a department to discharge with honor or without honor involves a power equally with the court-martial to *fix the character of the soldier, except that only the court-martial can dishonorably discharge.*

The term "*without honor*" *fixes the character.* How remarkable it would be to hold that where the President of the United States, in the exercise of his statutory authority, discharges a soldier, in his discretion, without honor, a company commander is to try again the question of character, notify the soldier that "*without honor*" will be put on his discharge, and, upon the demand of the soldier, a board of officers convened and to determine whether the President was right in the character which he fixed for the discharge! Congress made article 4, the latter clause, applying to discharges before expiration of term, being without limit as to number or reasons. The Secretary of War, with the approval of the President, made the regulations, including paragraph 146. It is not possible, aside from other reasons, to suppose they intended to restrict themselves in a power given by Congress, or make their exercise of it subject to the approval of a captain or lieutenant commanding a company, or a board of regimental officers. It is manifest that paragraph 146 applies to discharges at expiration of term of enlistment.

Mr. MALLORY. Mr. President, will the Senator permit me to interrupt him?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. SPOONER. Yes.

Mr. MALLORY. Paragraph 146 does not require that the soldier shall make the demand.

Mr. SPOONER. I know it.

Mr. MALLORY. The Senator, then, evidently misapprehended what he was saying a while ago.

Mr. SPOONER. I think the Senator is right.

Mr. MALLORY. It does not so require. I have it here in my hand. It expressly makes it obligatory upon the officer to notify the soldier, without any request from the soldier at all.

Mr. SPOONER. I think that is right, and it ought to be so. If I said otherwise, it was inaccurate. Just consider that a moment, Mr. President. The President, the Secretary of War, the department commander, a court-martial, and no one else, may discharge a man before the expiration of his term of enlistment. The President makes these regulations. The President, in the exercise of that power, orders the discharge of a man from the service "*without honor.*" What a situation would be necessarily involved if the contention of the Senator from Ohio is correct!

It has always been, so far as I know the rule, that where an enlisted man or an officer has been dishonorably discharged from the service by sentence of a court-martial, there is put on the discharge the character fixed by the court-martial, and a reference is made in the discharge to the sentence of the court-martial. So, where the President or the Secretary of War or the department commander orders the discharge of a man "*without honor,*" while the proper subordinate official signs the discharge, no function is left to him to determine the character of the discharge. They are commanded by a lawful authority at the head of the Army to discharge "*without honor.*" They enter on the discharge papers the number and date, perhaps, of the *special order.* Any other theory would involve an absolutely grotesque situation.

Higher tribunals sit in judgment upon the decisions of lower tribunals, but a lower tribunal does not sit in judgment on appeal from a higher tribunal. When the President or the Secretary of War or a department commander or a court-martial has determined upon the discharge and its character that is the end of it. Subordinates are but to obey.

THE DISCHARGES WERE NOT "PUNISHMENT."

Now, Mr. President, I come to another branch of this matter.

The Senator from Ohio, with great ability and ingenuity, contends that the President has usurped a function. Not denying his power to discharge particularly, he contends he had no right to exercise this power as to these men. Why not? The Senator says that the President has no power to *punish.* I agree to that. He has not. The President can not make a charge against an enlisted man, try him before himself, convict him himself, sentence him himself, and execute the sentence himself. If the President has inflicted—not from the standpoint of the newspapers or words in the orders or the instructions or the messages—*punishment in the legal sense,* and the word is here used in its legal sense, for it goes to his power—his action is void. Has he done this?

The Senator says these men have been *charged* with a crime. Every man *charged* with a crime, in the Army or out of it, is entitled to his day in court. He is entitled to know, Mr. President, by specifications adequate in clearness, setting forth the offense with certainty, if in civil life, by a presentment of a grand jury, or information in some States; if in military life for a military offense, by charges and specifications, to which he may plead "*guilty*" or "*not guilty.*" No witness can be examined against him without his consent, except in his presence. He is entitled to cross-examine witnesses through his counsel. If he has not counsel, a civil court assigns counsel to help him, and it is the sworn duty of the lawyer, as an officer of the court, to do it. If it be a military court, a military officer is assigned to defend him if he can not employ counsel. There is no possible disagreement between the Senator from Ohio and myself as to that. He is entitled to be heard in argument on the evidence and on the law.

But where is there any *charge* against these men in a sense which warrants the Senator from Ohio or anybody else in impeaching the *validity* of the President's action? A charge, Mr. President, in a newspaper is not a charge in the sense of the law. A charge in a message is not a *charge* upon which a lawyer can logically base the argument, involving a question of *power* or *jurisdiction* under the contention which has been urged here.

I want all the circumstances and facts of this transaction investigated. But when the investigation is had, these men will not be *having a day in court,* except in the phraseology of the

hustings. They will not be having a day in court as lawyers understand the term and as the law books use it. Nor, Mr. President, going to the question of power, is there any charge made against any one of these men. I am speaking from the legal standpoint, not from the oratorical standpoint.

Discharge by way of *punishment*? No. The Supreme Court has really settled that question, as I will try to show. I am sure that no thought or purpose or assumption of power to convict and punish any of these men can be imputed to the President. On the contrary, his message has not excluded the belief, nor has anything uttered, as I remember, by the Secretary of War, that some of these men are innocent even of knowledge. I do not myself believe that knowledge of this scheme was widely distributed. These men, if they could be identified as participating in that assault, would be turned over to the civil authorities for trial and punishment, and if they were convicted by the civil authorities it would be impossible afterwards to do anything with them, I expect, but to bury them. If they were convicted of murder, they would be punished for murder. Why were they not turned over, Mr. President, to the civil authorities? For the same reason that they could not be charged and tried before a court-martial.

The same difficulty which confronted the grand jury and confronts it to-day confronted the President—the impossibility up to this hour of identifying the perpetrators of this crime. Thirteen of these men were arrested and were held under military guard pending the consideration by the grand jury of the case after the warrants had been served upon them, or rather upon their officers for them. They continued after service of the warrants to be held by the military authorities. Why were they held? They were held, after consultation and with the concurrence of the civil authorities, because of the tremendous excitement there, not unnaturally, following such a transaction, and the danger that the people might in the passion of the hour forget the duty of the citizen and take the law into their own hands and punish without trial, which is a crime not only against the victim, even if he be guilty, but a crime, Mr. President, against society, a crime against the State, against the county, against good order and civilization—a crime which, alas, in the heat and passion and weakness of our common humanity is committed now and then in communities North and South, East and West, but which is always regretted by thoughtful men and good citizens everywhere and allowed to pass in silence—never vaunted and glorified.

Mr. President, no man can justly doubt that it was with keen regret and reluctance that the President reached the conclusion that men from this battalion, clad in the uniform of the United States Army, belonging to a military organization alongside of which he and soldiers of another color, the men of his own regiment, had served in Cuba, sharing with him, black as they are, and with his white companions equally the glory and pride and fame of gallant service there.

Did the grand jury fail to find an indictment because they doubted that the soldiers committed this crime? No. No one who reads this record can say that. Why were none of these men indicted? Because none could be identified as guilty. And no man's behavior could be better in the midst of great popular excitement than the conduct of Judge Welch, the presiding judge of that court. He found the people there in the tensest excitement. He found the women shuddering and the children crying. He had no doubt that the soldiers committed this crime. He said to the grand jury:

I know, gentlemen of the jury, that it takes a long time for blood to cool when it is raised to fever heat by such terrible outrages as your people have had to endure, but in this second test of their high moral courage you, as their special representatives, must be calm, wise, and just, and for the sake of the good name of your community you can not and must not indulge in a single thought of vengeance. You must present for trial before the courts of our State only those against whom evidence is adduced sufficiently pertinent and strong to warrant conviction by a trial jury, and going beyond mere suspicion or even strong probability.

No, no, Mr. President; and that is true of the military court as it is of the civil court. Proof that an offense has been committed is the first and fundamental step. Proof connecting the defendant accused, by evidence beyond a reasonable doubt, with the offense is the next, and without either there can be no honest conviction. These men therefore were discharged from arrest, the warrants revoked, upon the failure of the grand jury to find an indictment, and they failed to find an indictment because the men could not be identified. That failure is an insuperable bar to conviction and punishment equally in civil and military law.

It is not strange if these men did this thing that they were not identified. It is not very easy to identify colored men in the night. But the troops had been there but a couple of weeks. Whatever movements were made there were made with

great celerity, by whomever they were made. In the darkness and with the surprise and fright, the wonder is only that anyone is able to testify even to the general appearance of those who perpetrated it.

Mr. President, I said something yesterday about the record of this regiment. Colored troops have been at Brownsville a number of times before this. General Corbin commanded colored troops at Brownsville, and other officers well known commanded colored troops at Brownsville, and before this there had been no trouble. I will not talk about the officers of that battalion, for I deem it improper. They are awaiting trial, and it would not be decent, far away as they are and in the position in which they are placed, to comment here upon them. They are entitled to their day in court. There is no difficulty about that, for they are known and charges have been preferred against them.

Now, what was the President to do? Transfer those men to some other southern community? Why take them away from Brownsville and quarter them somewhere else among the people? Why take them from the South and send them to some village in the North? What community would be willing to have stationed in its midst a battalion of troops a portion of whom, undiscovered and undiscoverable, had made a midnight attack upon a city with Government weapons and ammunition, shooting indiscriminately, killing one man, wounding the lieutenant of police, necessitating amputation of his arm, shooting at a woman as she stood near her window, shooting into lighted houses, where they might kill the mother and her babe as she lay sleeping, caring nothing for childhood or sex or old age? What should the Commander in Chief do? Nothing but transfer the honest and faithful men of the battalion, with the murderers of that battalion, to some other community, emboldened by successful concealment of identity to do the same and worse the next time somewhere else, or discharge them all without honor from the service.

The President's duty in such a case was not to the battalion or for the good of the Army alone, but he owed something to the communities of the United States, among whom some where this battalion would be stationed. Even Mingo Sanders, with twenty-six years of service, with a character "good" and "very good" and "excellent," a hero in many frontier battles, a hero in Cuba, a hero in the Philippines, discharged without honor, is served with notice by the Senator from South Carolina [Mr. TILLMAN] that he must not go to the State of his birth lest he should be shot down as a possible perpetrator of or participant in this affair at Brownsville. What about the battalion as a whole and other communities and States?

Mr. TILLMAN. Would you like to have him sent to Wisconsin?

Mr. SPOONER. So far as he is concerned, I would not have the slightest objection, for anything I know. But I will have something to say about that before I finish, and I ought to be through.

Mr. President, in order to fairly judge another and another's acts we must put ourselves in his place. It is easy enough, after the fact, to criticize. The methods might have been different. That was a matter, as I said, to be determined by the President. But given the correctness of his conclusion, what else could he have done in justice to the Twenty-fifth Infantry, in justice to the colored people, in justice to the honor of the Army, and in justice to the public interest than that which he did?

Undoubtedly it is true that if the President or the officials could have identified the men who composed this platoon or squad they would have been turned over to the civil authorities for trial and punishment. If it were known that some of the men were parties to it—I mean parties to it in the mere matter of knowledge after the fact—it is true they probably could be sent before a court-martial and be tried under the sixty-second article. But it has been impossible to send these men or any of them upon any charge before a court-martial, for it has been impossible to identify any of them as guilty of any specific offense, and it does not follow that the President must be able to establish a charge under the Articles of War against a man to enable him to lawfully discharge him from the service without honor, if he thinks the good of the service requires it.

The Senator from Ohio [Mr. FORAKER] said—I do not remember his precise language—that the President is estopped from raising this question or alleging it. He does not raise it. I raise it. And I am discussing this matter from my own standpoint, as I would discuss it in the Senate if the President were a Democrat or if he were my enemy. The Senator from Ohio said charges were preferred against thirteen of these men. That is true. Why was it done? I believe it was after the grand jury had met and found no bill of indictment. An officer

down there was ordered to prefer charges against these thirteen men. Was it not after the grand jury had acted?

Mr. CULBERSON. I think so.

Mr. FORAKER. The Senator is mistaken about that. The grand jury investigated this case some time after these charges were preferred.

Mr. SPOONER. Very well.

Mr. FORAKER. If the Senator will bear with me a moment—

Mr. SPOONER. Yes.

Mr. FORAKER. These men were arrested, I believe, on the 23d day of August, the day before the battalion left Brownsville.

Mr. SPOONER. Yes.

Mr. FORAKER. They were to have been left behind, according to the first understanding that was arrived at between the military officers and the civil authorities. Later a different arrangement was entered into, whereby the civil process was recalled, and the men were released from arrest. As soon as that was ascertained and reported to Washington, instructions were given to prefer charges under the sixty-second article of war.

Mr. SPOONER. That is immaterial—

Mr. FORAKER. I would not have interrupted the Senator from Wisconsin if he had not asked me the question.

Mr. SPOONER. I beg the Senator's pardon. I think he would have a right to be offended at what he thinks I meant.

Mr. FORAKER. I am not offended, but I do not want to be lectured in public for answering a question when the Senator propounded it to me.

Mr. SPOONER. What I meant to say was that it is immaterial to what I want to say.

Mr. FORAKER. That is different.

Mr. SPOONER. I would have said that, if the Senator from Ohio had permitted. It is immaterial for the purposes of what I want to say about that whether the preferring of these charges against these men was before or after the action of the grand jury. Anyone who reads the record here knows that these charges were not preferred against these men in order or with the expectation that they would be brought to trial on those charges. No court was instituted for that purpose. I think it was not expected that any court would be instituted for that purpose. The charges were made against these men for a legitimate purpose, not adverse to them, not by way of prejudgment of their guilt or innocence, not because the Government had identified them directly or indirectly as guilty of participation in this transaction at Brownsville. They were the same thirteen men who had been charged and arrested by the civil authorities. The charges were preferred against them in order to put their officers in position lawfully to protect them against being taken by habeas corpus from the military custody, possibly to be lynched. Those charges, and the papers clearly enough show it—

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. SPOONER. I do.

Mr. FORAKER. I dislike exceedingly to interrupt the Senator, but he is evidently under a misapprehension as to the point I made or else I fail to understand him now. What I said was that when I first spoke on this point I went to the trouble to cite authorities to show that the charges against these men were cognizable under the sixty-second article of war. When I spoke on the occasion to which the Senator refers, I said that after I had done that, I had ascertained by looking through Senate Document No. 165 that The Military Secretary, with the approval of the President and the Attorney-General, had taken the same view of it—

Mr. SPOONER. Very well.

Mr. FORAKER. And they had directed charges to be filed under the sixty-second article of war. I said that for no other purpose, and gave no other purpose to it, than to show that if there was any ground upon which to make any such charge, it might be tried. I did not indicate that there was any evidence to sustain the charge.

Mr. SPOONER. I know that. I am glad the Senator has made that statement. I have never disputed, nor do I now, that a court-martial would have cognizance of a charge against these men under the sixty-second article, but what I say is that there has never been the slightest evidence under which any one of them could be sent before a court-martial under the sixty-second article of war.

Mr. FORAKER. That everybody agrees to.

Mr. SPOONER. Very well; let us see. It does not follow from that that there is not in this battalion a band of murderers, and it does not follow from that either that there are not men in the battalion who were cognizant and who are cog-

nizant of the perpetrators of that outrage. But that is neither here nor there. I would have said anyway what I repeat, that these charges were ordered to be filed against these men in order to enable their officers to make adequate return to a writ of habeas corpus that they were held in the custody of the United States under charges.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. For a question.

Mr. TILLMAN. I only want to ask a question.

Mr. SPOONER. Then I yield.

Mr. TILLMAN. As I understand it, thirteen men were singled out, or whose names were put in the warrants, as probably the guilty ones. Some of them were on guard—

Mr. SPOONER. Now, Mr. President—

Mr. TILLMAN. As sentinels.

Mr. SPOONER. Next week will do just as well for the Senator to ask the question.

Mr. TILLMAN. Of course—

Mr. SPOONER. If the Senator asks a question.

Mr. TILLMAN. I have got to explain what I mean.

Mr. SPOONER. The Senator is sometimes very rapid of speech. I wish he would ask the question. What is it?

Mr. TILLMAN. I will not interrupt the Senator if he will not permit me to ask it in my own way.

Mr. SPOONER. Ask it, but do not preface it with a speech.

Mr. TILLMAN. I am not going to preface it with a speech. When I want to speak I generally do it, and I generally do it directly, so that nobody misunderstands me.

Mr. SPOONER. I do not know about that.

Mr. TILLMAN. You never have misunderstood me at least. You have misinterpreted me sometimes.

Mr. SPOONER. Out of charity I have brought myself to the conclusion sometimes that I had misunderstood the Senator.

Mr. TILLMAN. Now, with your permission, I will ask my question in my own way or I will sit down—whichever you want.

Mr. SPOONER. No; go on.

Mr. TILLMAN. I was saying that the men who were on guard and the sergeant in charge of the gun racks and who must have known, in the view of the grand jury and of the military officers, something about this transaction were among the thirteen who were arrested as suspected. I want to ask the Senator whether or not the men who were guilty of not keeping the guard and allowing the men to go out of the garrison and the men who were guilty of allowing the gun racks to be opened and the guns taken out, were not amenable to court-martial, and if it was not a military offense worthy of investigation?

Mr. SPOONER. Is that the question?

Mr. TILLMAN. I leave you to judge whether it is a question or not.

Mr. SPOONER. Mr. President, the affidavits of all the men having charge of the gun racks were that the gun racks were not opened until the call to arms; that the keys had been in their possession all of the time; that the racks had only been opened to allow the guns to be taken out for the guards and to be put back by the men whose tour of duty was ended. That is sworn to by the sergeants themselves, except as to one rack, that of Company C, which it was said the men at the time in their hurry for the arms broke open. I fail to discover—

Mr. TILLMAN. The Senator has not said anything about the crime or the omission to do their duty being an offense which was triable by court-martial. It is not a question of the affidavits which were offered. I think the Senator agrees with me that there have been a good many lies sworn to.

Mr. SPOONER. The Senator is not asking me any question. A reply to it would be difficult or, if made, would not elucidate in any way the question which I am discussing.

Mr. TILLMAN. The Senator was making an assertion, though, and I wanted to answer it.

Mr. SPOONER. What assertion did I make?

Mr. TILLMAN. You say these men, if I recall it, were not triable, that they had done nothing that would give any excuse for a court-martial.

Mr. SPOONER. I did not say that.

Mr. TILLMAN. That was the meaning of your words, if I understood the language.

Mr. SPOONER. The Senator does not understand my language. I said the President believed that a part of the battalion perpetrated this offense, and that others knew it; that every one of them made an affidavit that he did not know it; that the President did not know *who did it*, and there was nothing for him to send to a court-martial; and that it did not follow,

as it does not, that while the offenses, if the perpetrators could be identified, would be cognizable by a court-martial, that where the perpetrators could not be identified, the President, if he thought they were guilty, but could not prove it, might not discharge them legally without honor from the service of the United States. And that is what he did. There is no man who believes, Mr. President, that if there had been evidence in the possession of the President to enable him to make a case, against men as having been participants in this transaction he would not have done it. He would, I doubt not, as would any generous, manly man, have been delighted beyond the power of expression to be able by the identification of the guilty to identify the innocent. But from the reports made to him by officers who investigated it and by the commander of this battalion, Major Penrose, that he believed men of the battalion were guilty, and from all the moral evidence the President came to the conclusion that men of that battalion did it. But to this hour there is no evidence that I know of as to individual soldiers who did it.

Mr. President, when the commander of a company or a battalion reports that he believes his men or men from his command have committed an outrage which has shocked the whole country the President is entitled to base much upon it, for naturally the commander stands by his men—

Mr. TILLMAN rose.

Mr. SPOONER. No; not now. He stands by his men when he can. It is a part of the comradeship of the officer and men that he should. Moreover, no man could have a higher, intenser interest in the determination that his command was guiltless than Major Penrose, for he knew it would involve himself, as it has involved himself.

Mr. TILLMAN rose.

Mr. SPOONER. I am not discussing that part of it. That is not the point which I want to make.

Mr. TILLMAN. Will the Senator allow me a question?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. It depends on the nature of the question. What is it?

Mr. TILLMAN. I will make it like a bullet.

Mr. SPOONER. Well, you shoot your bullet very slowly. Go on.

Mr. TILLMAN. I like to look in the Senator's eyes.

Mr. SPOONER. Go on.

Mr. TILLMAN. Why did not the President, if he had so much regard for this officer's recommendation, follow it in regard to employing detectives and enlisting them in the company and—

Mr. SPOONER. Mr. President—

Mr. TILLMAN. Try to get at the facts in that way?

Mr. SPOONER. I think the President of the United States will never require any defense against the assaults of the Senator from South Carolina. It has become a mania with the Senator from South Carolina. Mr. President, I have been surprised at the attitude of the Senator from South Carolina more than I ever was by the attitude of any other Senator. The Senator from South Carolina is so filled with animosity against the President of the United States and has so often taken occasion here to express it that I do not believe the people of this country regard his assaults as entirely disinterested.

Mr. TILLMAN rose.

Mr. SPOONER. No; not yet.

Mr. TILLMAN. Surely the Senator will let me come in?

Mr. SPOONER. When I get through.

Mr. TILLMAN. Is that part of the speech through?

Mr. SPOONER. I am not through with that part of it. I did not intend to make this part of it, but the Senator invites me to it. The Senator "associated" himself with the Senator from Ohio. The Senator began by charging these men, all of them, with being brutal, cowardly, treacherous murderers. That was the first. Then the Senator expressed his conviction that this outrage was perpetrated by men from this battalion. That is the second. This battalion, as a whole, he characterizes as murderers. Then the Senator attacks the President, and in harsh, bitter words, unreasoned and unjust, impeaches his motives and his justice. What about the justice of the Senator from South Carolina to the balance of these men who did not participate in this outrage?

The Senator based his attack upon the President upon his fundamental undying love for justice and liberty. The idea that the President of the United States, even in a case where it was impossible to identify the perpetrators of a cowardly and a wicked crime, should discharge them without a trial shocked the Senator's sense of liberty and justice.

How could he try them or send them to trial if he could not

identify them? I never was so touched as I was by the wonderful attachment and loyalty of the Senator from South Carolina to that glorious and fundamental principle of liberty, that no man shall be judged except upon trial.

Mr. TILLMAN. Do not misquote me.

Mr. SPOONER. No; I put it mildly. I do not intend to misquote you. Quote yourself, if you please.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes, sir.

Mr. TILLMAN. I said it is the fundamental principle of English and American liberty that every man shall be considered innocent until he is proved guilty—

Mr. SPOONER. Proved guilty where?

Mr. TILLMAN. In a court, of course. And that ten guilty had better escape than one innocent suffer. Does the Senator object to that?

Mr. SPOONER. Mr. President, the statement is accurate, generally speaking, but with what grace can the Senator, using that as a foundation, charge usurpation in this case and a violation of fundamental principles of liberty upon the President of the United States? Is not that principle applicable to a black man in the South as well as to the white man in the South or the white man in the North? The Senator, who says, "We shot them, we killed them, and we will do it again," on a former occasion—

Mr. TILLMAN. May I get in?

Mr. SPOONER. What do you want to get in for? I want to finish. What is it?

Mr. TILLMAN. How much provocation will you give a man before you give him a chance to strike back a little?

Mr. SPOONER. Well, strike back; go on.

Mr. TILLMAN. On this proposition which you are discussing you first branch off on one phase of it. You had better sit down a little, if you please.

Mr. SPOONER. No; I do not intend to yield for a speech. The Senator can answer me later. If he wants to ask me a question, he is welcome.

Mr. TILLMAN. Is that all?

Mr. SPOONER. That is all.

Now, Mr. President, I would do the Senator from South Carolina no injustice.

Mr. TILLMAN. The Senator from Wisconsin, however, turns himself directly to me, mentions me by name, speaks of things I have said and of my motives, and all that sort of thing, and then says I may answer him hereafter, but he will only let me in now for a question.

Mr. SPOONER. I wish to finish what I want to say. What is the question?

Mr. TILLMAN. I did not start to ask a question.

Mr. SPOONER. Start to ask it.

Mr. TILLMAN. I said I did not start to ask a question.

Mr. SPOONER. I decline to allow the Senator to make a speech. I am anxious to get through.

The VICE-PRESIDENT. The Senator from Wisconsin declines to yield.

Mr. SPOONER. Now, Mr. President, I believe in law. I believe that wherever a man perpetrates a crime, or a crime is committed and the perpetrator or suspected perpetrator can be identified, the law should seize him. I believe he is entitled to a trial before sentence. I believe he is entitled to a day in court.

I am opposed, Mr. President, to any man making himself judge, juror, and executioner. I look upon it as shocking beyond expression in civilized communities, Mr. President, for the populace to seize a human being, charge him with crime, drag him to a tree protesting his innocence, and hang him or burn him at the stake. "In the corrupted currents of this world" it sometimes happens. All just men deplore it. No man ought to encourage it. It is a crime against civilization to encourage it.

I have looked with peculiar honor and pride upon the brave, continued, efforts of southern governors to conserve the law, to maintain peace, to make that a real shield which the law in every civilized community is intended to throw around a man accused of crime. I have admired Governor Vardaman for it; I have admired the governors of other States in the South for it; I admire the governor anywhere who has done his uttermost to prevent lynching and to punish lynching.

And, Mr. President, I have been shocked more than once. I was shocked the other day here by the statement of the Senator from South Carolina justifying it and supporting its continuance. If there is one man under the sky who ought not to do it it is a maker of the laws which govern the people.

Mr. President, this is not an attack nor is it intended to be

upon the Senator from South Carolina. It is a plea for good government, orderly government, real liberty—not the liberty of one man, but the liberty of all. What is liberty? It is not license. Liberty was once well defined to be "freedom to do that which the law permits." That is what liberty is. I say again that any man here or elsewhere who encourages lynching, murder, lawlessness, will have much to answer for, and the higher his position and the weightier his influence the more he will have to answer for.

Mr. President, what I started to say when led off into this is that no man can come with very good grace to berate and vituperatively impeach the President of the United States for having discharged men without honor from the Army without trial because he could not identify the guilty and single them out from the innocent, who comes to that accusation from a lynching bee or from justifying one. There ought not to be one law for the white man and another law for the black man. The law, Mr. President, is for all. Every man in the land is entitled to its protection, and every man in the land, if he violates it, should feel its weight and punishment after trial and conviction. They have no more right in one State than in another to condemn men and execute them without trial whatever the offense may be. Mr. President, I am sorry to have been led off into this. I come back to the point I was making.

The Senator from Ohio calls this discharge without honor a *punishment*. Is it a punishment? Mr. President, to my mind, in the legal sense, it is not possible for anyone accurately to characterize it as a punishment. As to the men who are guilty, if any are guilty—and the President was satisfied of that—it certainly is not a punishment; as to the men who are innocent it is not a punishment, although it is a great hardship. *Punishment by order* is not permitted in the Army of the United States. (Digest Opinions Judge-Advocate-General, par. 2322, and note, p. 654.) It only follows upon the judgment of a court-martial. Used in any other than its legal sense it has no place in this debate in support of a claim that the President has usurped the function of a court-martial and *punished* without authority. The statute provides that an enlisted man discharged, *except by way of punishment*, shall be entitled to travel pay. I suppose the word *punishment* in that clause means just what it means in the Articles of War, and means just what it means to the lawyer anywhere and everywhere. This was not punishment.

In *United States v. Kingsley* (138 U. S., 90) the Supreme Court had occasion to define the word *punishment*, in section 1290, Revised Statutes, which provides that—

when a soldier is discharged from the service, except by way of punishment, he shall be allowed transportation and subsistence from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service, etc.

Kingsley was a marine and was discharged for unfitness for the service and general bad character. He sued for retained pay under section 1831, Revised Statutes, and for transportation and subsistence.

It was held by the Court of Claims that "to deny his right to retained pay a forfeiture must have been considered and declared by a court-martial or other military authority having jurisdiction in the premises," and judgment was given him for his retained pay and for his transportation and subsistence. On appeal the Supreme Court reversed the judgment, with direction to the lower court to set aside the judgment and enter a new one for the transportation and subsistence, saying:

(1) Claimant's right to retained pay depends upon Revised Statutes, section 1281, which reads as follows: "To the rates of pay stated in the preceding section \$1 per month shall be added for the third year of enlistment, \$1 more per month for the fourth year, and \$1 more per month for the fifth year, making in all, \$3 increase per month for the last year of the first enlistment of each enlisted man named in said section. But this increase shall be considered as retained pay, and shall not be paid to the soldier until his discharge from the service, and shall be forfeited unless he serves honestly and faithfully to the date of discharge."

That is the statute.

To entitle the soldier to this retained pay it is therefore necessary to show, first, his discharge from the service; second, an honest and faithful service to the date of discharge. It was held by the Court of Claims, however, that to deny his right to retained pay a forfeiture must have been considered and declared by a court-martial or other military authority having jurisdiction in the premises, and that the question of honest and faithful service, required by the section, was not one that could be tried in a collateral proceeding. We are unable to concur in this opinion. By his enlistment the soldier contracts for honest and faithful service, and the rendition of such service is a condition precedent to his right to recover his retained pay. The fact that he has not rendered such service may be shown as well by his military record as by the judgment of a court-martial.

The court cites *United States v. Landers* (92 U. S., 77), and continues:

Different considerations apply to his claim for transportation and subsistence from the place of discharge to the place of enlistment. The right to this depends upon section 1290—

"When a soldier is discharged from the service, except by way of punishment for an offense"—

These words are italicized by the court—

"he shall be allowed transportation and subsistence from the place of his discharge to the place of his enlistment, enrollment, or original muster into the service."

We think this statute contemplates a discharge as a *punishment* inflicted by the judgment of a court-martial or other military authority for a specific offense, and not such a discharge as was issued in this case, for unfitness for service and general bad character. While this may justify the proper authorities in ordering the discharge of the soldier as a worthless member of the service, we can not consider such a discharge as "a punishment for an offense" within the meaning of the statute. The question whether such punishment must necessarily be awarded by the judgment of a court-martial is not presented by this record, and we express no opinion upon the point.

Mr. President, every right that would not follow a discharge by way of punishment did follow these discharges without honor. The men forfeited nothing except the right to reenlist. Upon what theory it can be called a "punishment" I am unable to discover.

I do not intend, Mr. President, to go at any length or thoroughness into the mass of reports, affidavits, statements, and documents bearing upon the question of fact. I may incorporate some extracts in my remarks, if permitted to do so.

THE VICE-PRESIDENT. In the absence of objection, leave is granted.

MR. SPOONER. I have read attentively everything which has been sent to the Senate upon the subject. That an attack was made at midnight upon the city of Brownsville by armed men, resulting in death, wounds, and terrorism, can not be disputed. I have been unable to escape the conviction that it was perpetrated by soldiers of the battalion of the Twenty-fifth Infantry, not simply from the statements of those who swear that they saw the men, that they were in uniform and colored, and somewhat under command, but from moral evidences inherent in the situation. The suggestion that this shooting was done by citizens of Brownsville in order to bring obloquy upon the battalion, which would lead to its removal from that post, has, for a variety of reasons, seemed to me not only untenable, but grotesque.

The discussion of the whole subject by the President and by the Secretary of War seems to me unanswerable. I incline strongly to the opinion that the heart of the trouble was in Company C. With one exception, as I remember it, the soldiers who had trouble with citizens belonged to Company C.

There seems to me to be a lie out on this record as to the gun racks of Company C. The affidavit—and I read it that it may have attention hereafter—of D. W. O'Browner, of Company C, on the 14th day of August, the day after this affair occurred, is as follows:

I was in charge of the company quarters of Company C, Twenty-fifth Infantry, on the 13th and 14th of August, 1906. I locked the arm racks in the company quarters between 10 and 11 o'clock a. m., August 13. There were 53 in the racks, which, with the 4 rifles in the hands of the members of the guard, made up to the total number issued to the men of Company C; that is, 57 rifles in all. The keys of the arm racks were constantly in my possession. The arm racks were not opened until about 12.15 a. m., August 14, 1906, for any reason except that about 2.30 o'clock p. m., August 13, 1906, one rack was opened for a moment to allow the supernumerary of the guard to get his rifle in order to take the place of a member of the guard who was taken sick, and whose rifle was at the same time placed in this arm rack.

About 12.15 a. m., August 14, 1906, I was awakened by a corporal of the company, who told me that shooting had been going on and that call to arms had been sounded, and to get up and open the arm racks.

I went down to the first sergeant and asked him what I should do, whether I should open the arm racks, and he said, "Wait for orders." Corporal Madison, whom I met as I was returning to the squad room, told me orders of the commanding officer were to open the arm racks. I then opened three racks, the fourth having been broken open by the men trying to get their rifles from the racks to fall in when call to arms sounded.

It seems a little strange to me that the men of Company C alone could not wait, as the members of the other companies had waited, for the gun racks to be unlocked, especially in view of the testimony of O'Browner that he unlocked three of the four. Then comes the affidavit of First Sergeant Harley, of Company C. He says:

He met noncommissioned officer Sergeant Browner in charge of quarters; Sergeant Browner asked him, "Shall I open the racks?" to which he replied, "Wait for orders." He then met Corporal Washington, who informed him that the call to arms had been sounded. He then instructed Corporal Washington to inform Sergeant Browner to let the men have their guns and get downstairs as quickly as possible. Some of the men were already downstairs without their guns, and he sent them back for their rifles. Major Penrose asked why they did not have their guns, and a member of the company replied that they could not get their guns from the racks, as they could not get in them. Major Penrose ordered them to get their guns if they had to break open the gun racks. Sergeant Browner opened as fast as he could the racks in the dark, but the men broke open one rack. He reported to Lieutenant Grier, who took charge of the company at once.

It will be noticed that the affidavit of O'Browner, made August 14, and the affidavit of Harley, made November 24, are not in conflict. O'Browner swears that he asked Harley whether he should open the racks, and that Harley said, "Wait for orders."

Harley says that O'Browner asked him, "Shall I open the racks?" to which he replied, "Wait for orders." Here they agree. Harley says he instructed Corporal Washington to inform Sergeant O'Browner to let the men have their guns and get downstairs as quickly as possible. O'Browner swears that Corporal Madison, whom he met as he was returning to the squad room, told him the orders of the commanding officer were to open the arm racks.

Harley further swears that as some of the men were already downstairs without guns, he sent them back for their rifles. When Major Penrose asked why they did not have their guns and a member of the company replied that they could not get their guns from the racks, Major Penrose ordered them to get their guns if they had to break open the racks.

It will be noticed in the affidavit of O'Browner, August 14, he not only does not claim to have heard any such orders from Major Penrose, but that he was on his way back to the squad room and was informed of the orders to open the racks by Corporal Madison.

On the 24th of November Sergeant O'Browner made for the Constitutional League an affidavit, as follows:

AFFIDAVIT S.—W. O'Browner, Company C. Aroused by firing.
TERRITORY OF OKLAHOMA, County of Canadian, ss:

Personally appeared before me, the undersigned authority, duly authorized to administer oaths in and for the county and Territory aforesaid, one Sergt. Darby W. O'Browner, of Company C, Twenty-fifth United States Infantry, who deposes and says that he has been in the United States Army for a period of fourteen years—in Cuba, El Caney, and Santiago, in the Philippines April, 1900, to August 1, 1902.

That on August 13 he was garrisoned at Fort Brown and was detailed in charge of quarters Company C; between 12 and 12.20 he was aroused by firing, which sounded like it was a distance over the brick wall in town, and that he rushed downstairs to find his first sergeant, and received orders as to opening up the gun racks. He found Sergeant Harley, who said, "Wait for orders." While standing there he heard Major Penrose say: "Open those gun racks and fall in line promptly, and if you can not find noncommissioned officer in charge of quarters break them open and fall in line promptly." He rushed upstairs and one that he could not get open was broken open and he found all of the guns intact. The men ran promptly and fell in line, and the roll was called and the men were all present and accounted for. He lighted a lantern and found all of the gun racks intact except the one broken open. He remained in charge of quarters.

Affiant further deposes and says that to his best knowledge no firearms were gone or used by any members of the Twenty-fifth United States Infantry at Fort Brown prior to call to arms as stated. He means by members of Company C.

DARBY W. O'BROWNER.

Subscribed and sworn to before me this 24th day of November, 1906.

E. T. BARBOUR,
Notary Public.

My commission expires July 20, 1907.

It will be observed that he failed to remember the statement made under oath on the 14th of August, that Corporal Madison communicated to him the order to open the gun racks as he was returning to the squad room, and that he does not mention Corporal Madison at all. He did not pretend in his affidavit the day after the occurrence that he had seen or heard from Major Penrose, but in the foregoing affidavit he makes oath that at the time Sergeant Harley told him to wait for orders, and while he was standing there, he heard Major Penrose say: "Open those gun racks and fall in line promptly, and if you can not find the noncommissioned officer in charge of quarters break them open." This is all new and in conflict with his former affidavit. Without taking time to further analyze it, the difference between the two affidavits is significant and sinister.

In Major Penrose's report from Fort Brown, August 15, 1906, page 68, Senate Document No. 135, second session Fifty-ninth Congress, he says:

I have the affidavits from three noncommissioned officers who were in charge of quarters on the day and night, and they swear positively the rifles were verified and the racks locked after drill (practice march of Companies B and D, drill of Company C), and the old guard returned to the quarters; that they never left the quarters, and that the keys to the locks of the racks were never out of their possession, and that the racks were not opened until call to arms sounded and were then opened by them.

When in connection with the discrepancy in these affidavits one turns to the speech of the Senator from Texas [Mr. CULBERSON] there is an exhibit under oath which, if true, throws a flood of light upon this matter.

Mr. CARMACK. What page?

Mr. SPOONER. Page 28. It is the statement of W. H. Sharpe. I have endeavored to ascertain who W. H. Sharpe is. He was the post blacksmith. He is not a black man; he is a white man, who went with this company from Fort Brown to their present post—Fort Reno, I think, or whatever their destination was—and is still in service there. He is an employee of the Quartermaster's Department, and he makes this statement under oath:

I live at Fort Brown. I am the post blacksmith. On the 14th of August, the day after the riot, I received verbal orders from the post quartermaster, Lieutenant Greer, through Q. M. Sergt. Roland Ailsby, to repair four gun racks, which were brought to my shop. These racks belonged to Company C, as I heard, but I do not know so from

my own personal knowledge. The staples which held the locks had been pulled out, and I replaced them. The piece of iron on which the staples are riveted is 2 inches wide and one-fourth of an inch in thickness; it would require considerable force to break the staples out of the iron.

But he swears that on the four gun racks they were broken out of the iron—

The upper part of the racks, which hold the pistols, showed marks (gashes) as if made with an ax, but the locks had not been disturbed.

When the time comes that phase of this matter—

Mr. CARMACK. Mr. President, I should like to make an inquiry.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Certainly.

Mr. CARMACK. Is not that which the Senator just read a sworn statement in the testimony before the grand jury?

Mr. SPOONER. It is a sworn statement, and a very significant thing, Mr. President, which will call for investigation.

Mr. President, I am as anxious as any man can be that, if it is possible to do it in the proper exercise of legislative power, it shall be determined whether the men from this company and battalion did it. I hope with all my heart it will be possible to identify those who did do it, but I believe that the President has acted entirely within his power and in a manner which he believes, and which I believe, to have been in the interest of the people, for the good of the Army, and for the good of the race to which the discharged soldiers belong.

Now, Mr. President, a word and I shall have finished, apologizing to the Senate for taking so much time and for having allowed myself to discuss some matters not strictly involved. I realize as well as any man in the North the complicated and troublesome and, perhaps, in some ways dangerous situation as to both races in the South. I am not able to say that in dealing with the Southern States at the end of the war measures were not adopted which, from the standpoint of to-day, might not better, in some aspects of it, have been pretermitted. In the situation as it presented itself to the Congress of northern men, fresh from the struggle to suppress insurrection against the Government in a war to preserve the Union, it was, of course, inevitable.

It is always dangerous to confer the suffrage upon a mass of people unfitted by education for its exercise. I do not intend to advert, except by a word, to the fact that, as I understood it then, and as I understand it now, the suffrage was not secured to the colored man in a party interest, but to protect him, by giving the ballot as a weapon of defense, against codes, which you will find collated to some extent only in the dissenting opinion of Mr. Justice Harlan in the Slaughterhouses cases (109 U. S., 36), codes which were thought in the North practically to repudiate the pledge contained in Abraham Lincoln's emancipation proclamation, afterwards written by the people into the Constitution of the United States.

I am far from forgetting the difficulties which then beset the southern people.

It was difficult for southern men to realize, when the Confederate flags were furled and laid away and they returned to their homes, that the black people whom they had left at home as slaves had become when they next looked upon their faces free men. It was a sudden dislocation of a long-continued status, and of course it took time to adjust their relations to it.

We once attempted—I did my part of it, for which I have never apologized, nor will I—to safeguard, in the interest of the people at large, the right of the colored man to vote in accordance with the constitutional amendments. That bill did not pass. I have been glad it did not pass, although I did honestly all that I could to secure its passage. That it did not pass has been better, I think, for the white men of the South and infinitely better for the colored men of the South, where the Anglo-Saxon and the negro race live side by side and will continue so to live, doubtless, as long as this Government lasts.

They can live in peace, I hope and pray and believe. It will require the utmost of patience and calmness and justice on the part of the white people of the South. The colored men are not cowards; they are ambitious. They are human beings; they were born in this country; they were made by the fourteenth amendment citizens of the United States.

In respect of the suffrage, which the Southern States have adjusted to suit themselves, their administration of it has been left without Congressional interference, even without recent agitation. Of course, our people feel that the just constitutional equilibrium between the States has been distorted and disarranged because of the situation. The South has a larger representation in the electoral college and in the House of Representatives because of the colored vote. The vote has been decreased in one way and another, but the representation has remained.

Senators will bear me witness that it is a good many years since this subject has been discussed at all on this side of the Chamber. When I first came to the Senate it was often debated with a violence which is almost always inseparable from it. Silence upon it has not been a surrender, except in this way, that it has come to be felt by our people at large that the delicate and difficult problem down there can be best settled without agitation from without.

Now, Mr. President, I think the fourteenth amendment of the Constitution, which makes the colored man and all persons born in this country citizens of the United States, which guarantees to them equality before the law, the equal protection of the laws, and those rights of liberty, conscience, property, to which all men are entitled in any decent government, must live. I have no notion that the great body of the people of any section of this country think otherwise. The law must be equally a shield for all entitled to its protection; and I feel sometimes when I recall the conversations I had years ago with some splendid and chivalrous ex-Confederate soldiers who have gone from this Chamber, and some still here, upon this difficult and sensitive subject in the South, that it requires more than any other problem in history patience, considerateness, and justice on the part of the leaders of southern thought, instead of vehemence and vituperation.

When I listen to the Senator from South Carolina [Mr. TILLMAN] in his impassioned utterances, to the opprobrious terms which he sometimes applies to the colored race, uttered in public places, carried broadcast throughout the land, to wound the self-respect and the hearts and the pride of every black-skinned man, woman, or child in the land, I can not help saying to him, in all kindness, that I think he, and he more than others, because of his ability and his prominence and his leadership, is exciting and begetting trouble sometime in the South which all good men ought to strive to avert, strive by fair speech and kindness and considerateness, not *social equality* but *justice*, to avert.

Somebody has sent me a copy of the speech the Senator from South Carolina made in Chicago. I do not know that it is a fair report of it. In one part of the speech, after a man had interrupted him, he is reported to have said:

Oh, shut up, will you? Let me go on. I have forgotten more about the race question than you could learn in forty years.

That is probably true.

Reference was made by the Senator to the recent defeat of Mr. Barnett for municipal judge. The Senator said that after Barnett—whom he did not mention by name—had been elected by white votes "and by the votes of these baboons," looking toward several colored men in the house, "you hounds—

Speaking to the white men in the audience—

counted him out—a disgrace that would not happen in the State of South Carolina."

In another part of the same speech he is quoted as saying:

We have in days past stuffed ballot boxes, used shotguns, and elected white men, no matter what the nigger vote, but we never committed the infamy of nominating a negro on our ticket and of later counting him out.

Then when some one in the course of the Senator's speech on the race question spoke of the constitutional amendment, or, I suppose, referred to that—

"How about the law?" the auditor asked.

The Senator is reported to have replied:

The law—

This says the Senator shouted, but I can not believe that possible—the Senator replied:

To hell with such law.

Now, Mr. President, I take the liberty of saying that speeches like those in which the Senator from South Carolina indulges—I am not lecturing the Senator; I am talking about a subject—are not calculated to bring about the future kindly, friendly, and necessary arrangements and relations between the white people and the colored people in the South, and I do not believe, and I think the people of the North do not believe, as the Senator from Colorado [Mr. PATTERSON] said the other day, that in these vehement outbursts on this subject the Senator from South Carolina speaks the real sentiments of the leading thoughtful people of the southern section.

The South owes much to the negro. The negro is not a baboon. Even in slavery days the Constitution referred to the negroes as persons, dividing them into free persons and bound persons; and I think the spirit which will settle the southern question, which is very different in its language and motive from that of the Senator from South Carolina, is expressed in what I read from another distinguished southern leader, the eloquent Grady, unhappily now gone, considerate, kindly, self-respecting, and tender:

What of the negro? This of him. I want no better friend than the black boy who was raised by my side, and who is now trudging pa-

tiently with downcast eyes and shambling figure through his lowly way of life. I want no sweeter music than the crooning of my old "mammy," now dead and gone to rest, as I heard it when she held me in her loving arms, and bending her old black face above me stole the cares from my brain and led me smiling into sleep. I want no truer soul than that which moved the trusty slave, who for four years while my father fought with the armies that barred his freedom, slept every night at my mother's chamber door, holding her and her children as safe as if her husband stood guard, and ready to lay down his humble life on her threshold. History has no parallel to the faith kept by the negro in the South during the war.

And it was faith indeed well kept, for every negro knew that as the blue lines of the Federal Army, marching under its flag, pressed southward, it carried liberty to them, but even that did not woo them to infidelity.

Often 500 negroes to a single white man, and yet through these dusky throngs the women and children walked in safety and the unprotected homes rested in peace. Unmarshaled, the black battalions moved patiently to the fields in the morning to feed the armies their idleness would have starved, and at night gathered anxiously at the big house to "hear the news from marster," though conscious that his victory made their chains enduring. Everywhere humble and kindly; the bodyguard of the helpless; the rough companion of the little ones; the observant friend; the silent sentry in his lowly cabin; the shrewd counselor, and when the dead came home, a mourner at the open grave. A thousand torches would have disbanded every southern army, but not one was lighted.

When the master, going to war in which slavery was involved, said to his slave: "I leave my home and loved ones in your charge," the tenderness between man and master stood disclosed. And when the slave held that charge sacred through storm and temptation he gave new meaning to faith and loyalty. I rejoice that when freedom came to him after years of waiting it was all the sweeter, because the black hands from which the shackles fell were stainless of a single crime against the helpless ones confided to his care.

These beautiful words breathe the spirit which I believe inspires the white people of the South in their efforts and purpose to work out the destiny of the Anglo-Saxon and the colored races in that region. May God lead them to a solution of the great problem which will be at once honorable and beneficent. The spirit which moves a few prominent and powerful white leaders to make and encourage constant attacks upon the colored race because of their color; to the constant assertion of their inferiority as a race; to the constant advocacy and defense of lawlessness against them is very, very far from the spirit of Waltham and of Grady and other great southerners whom I have had the honor to know; far away, I hope and believe, from the general spirit and sentiment of the South, which will be infinitely more helpful to a solution which in peace and friendliness will give scope to both races than that exhibited by my friend from South Carolina. I do not know of a more certain way to precipitate a struggle between the two races in such an environment than to be constantly violently declaring it to be imminent and inevitable.

I beg pardon of the Senate, Mr. President. [Applause in the galleries.]

The VICE-PRESIDENT. Applause is not allowed under the rules of the Senate.

During the delivery of Mr. SPOONER's speech,

The VICE-PRESIDENT. The Senator from Wisconsin will suspend while the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (S. 7709) to revise, codify, and amend the penal laws of the United States.

Mr. FULTON. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE-PRESIDENT. Without objection, it is so ordered. The Senator from Wisconsin will proceed.

After the conclusion of Mr. SPOONER's speech,

Mr. CARMACK obtained the floor.

Mr. TILLMAN. Will the Senator from Tennessee allow me for a moment?

Mr. CARMACK. Certainly.

Mr. TILLMAN. I had expected, Mr. President, to have a few brief words to say to the Senator from Wisconsin [Mr. SPOONER] in view of the direct personal attack he has made on me this afternoon, but the latter part of his speech has widened the scope of the reply I wish to make, and I therefore will take occasion in the near future to have something to say on this question and in answer to some insulting allusions he has made.

Mr. LODGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. CARMACK. Certainly.

Mr. LODGE. I should like to ask the Senator from Tennessee whether he would prefer to go on this evening—it is now half past 4—or would he like, rather, to proceed in the morning.

Mr. CARMACK. I believe I would prefer to go on to-morrow if it would suit the convenience of the Senate and be satisfactory to the Senator from Ohio.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. CARMACK. I do.

Mr. FORAKER. I sincerely hope we may go on with the consideration of the pending resolution this afternoon. I do not want to inconvenience any Senator, but the debate has been considerably protracted and there are such a number of Senators desiring to speak that I fear we will not be able to close the discussion to-morrow unless we hear this afternoon from the Senator from Tennessee or somebody else of the number desiring to speak. If the Senator from Tennessee says he is not prepared to go on, or for any important reason does not desire to go on now, I will not insist upon it. But to-day is Tuesday; Thursday, day after to-morrow, I believe we have set apart as a day for memorial exercises in honor of the late Senator from Tennessee, Mr. Bate; and so, the first thing we know, we will be at the end of the week without having taken any action.

There are a number of reasons why I desire to press this matter to a vote, but I will not take the time of the Senate now to state them. With this suggestion I submit it to the Senate. However, my preference is that the Senator from Tennessee should go on now.

Mr. CARMACK. I can not say that my reasons for wishing to go on to-morrow are important, because it is a matter of no importance whether I speak at all or not. It is just a matter of preference with me, but I do not wish to press it at all. I desire to suit the convenience of the Senate and conform to the wishes of the Senator from Ohio. I can go on to-day.

Mr. LODGE. I made the inquiry because we ought to have an executive session. I am no more desirous of delaying this matter than is the Senator from Ohio. I wish we could get a vote at once. But I do not know whether we shall gain time by compelling the Senator from Tennessee to proceed at this moment. We ought to have an executive session.

Mr. FORAKER. I am entirely willing to leave the matter to the Senator from Tennessee, so far as he is concerned, but there are two or three other Senators who have told me they desire to speak briefly, only for a few minutes. It might suit the convenience of some other Senator to speak now. If some Senators are not heard this afternoon, I doubt whether we shall be able to conclude the discussion to-morrow, as I have been hoping we might do.

Mr. McCUMBER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Tennessee yield to the Senator from North Dakota?

Mr. CARMACK. With pleasure.

Mr. McCUMBER. I am quite certain that we shall not be able to finish the debate on the resolution to-morrow, and for another reason than the desire of the Senator from Tennessee. I wish we could take the balance of the afternoon in the consideration of unobjected pension bills on the Calendar. They will have to be taken up, of course, at some time, and if the Senator from Tennessee would just as soon make his remarks to-morrow morning after the routine morning business, I will take occasion to move the consideration of the pension Calendar.

Mr. CARMACK. That would be satisfactory to me for several reasons, not only because I would rather go on to-morrow, but I share with the chairman of the committee, of which I am a member, the desire to have the pension bills on the Calendar considered. Therefore I put myself in the hands of the Senator from Ohio. I am going to be governed by his wishes and views in the matter. If he would prefer that I should proceed this afternoon, I will do so.

Mr. FORAKER. When the Senator from Tennessee puts it in that way, I dislike to decide it. I have already expressed my preference, that we might make some progress this afternoon. But if the Senator from Tennessee has a preference, I will yield.

Mr. McCUMBER. There is a desire on the part of some Senators that we have an executive session, which I take it will not last more than a short time, and we can then return to legislative business, at which time I should like to ask that we proceed to the consideration of unobjected pension cases and bills for the correction of military records.

Mr. KEAN. And transact no other business.

Mr. McCUMBER. No other business to be considered.

The VICE-PRESIDENT. In the absence of objection, it is so ordered.

Mr. LODGE. Let us have an executive session.

Mr. KEAN. We are going to have an executive session first.

Mr. LODGE. The executive session first. I beg pardon.

Mr. CULLOM (to Mr. LODGE). Move it now.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the

consideration of executive business. After ten minutes spent in executive session the doors were reopened.

STEPHEN M. HONEYCUTT.

The VICE-PRESIDENT. The Secretary will announce the first bill on the Calendar, under the order for the consideration of pension bills and bills for the correction of military records.

The bill (H. R. 3498) for the relief of Stephen M. Honeycutt was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with an amendment, on page 2, line 1, after the word "sixty-five," to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to amend the records of the War Department in such manner as to show that Stephen M. Honeycutt, private of Company E, Third Regiment North Carolina Mounted Volunteer Infantry, was enrolled—that is, enlisted and mustered into the military service of the United States—on the 25th day of March, 1864, and honorably discharged at Knoxville, Tenn., on the 8th day of August, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

SAMUEL BAKER.

The bill (S. 7105) granting an increase of pension to Samuel Baker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Baker, late of Companies E and D, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH S. REESS.

The bill (S. 5542) granting an increase of pension to Elizabeth S. Reess was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth S. Reess, widow of Martin F. Reess, late of Company K, Nineteenth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HOLLEY.

The bill (S. 1495) granting an increase of pension to John Holley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Holley, late of Company E, Thirteenth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK CAREL.

The bill (S. 7056) granting an increase of pension to Frederick Carel was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "musician," to insert "late;" in the same line, before the word "Fourth," to insert "band;" and in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Carel, late musician, band, Fourth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET E. GUTHRIE.

The bill (S. 1594) granting an increase of pension to Margaret E. Guthrie was considered as in Committee of the Whole. The bill was reported from the Committee on Pensions with

amendments, in line 7, after the word "sergeant-major," to strike out "and adjutant;" and in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret E. Guthrie, widow of Watson H. Guthrie, late sergeant-major, Sixty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SANFORD H. MOATS.

The bill (S. 3681) granting a pension to Sanford H. Moats was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "eighteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sanford H. Moats, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FELIX G. MURPHY.

The bill (S. 5672) granting an increase of pension to Felix G. Murphy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "battalion," to strike out the name "Powell" and insert "Powell's;" in line 8, before the word "and," to insert "war with Mexico;" and in the same line, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Felix G. Murphy, late of Company B, Powell's battalion Missouri Mounted Volunteers, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN E. HENDERSON.

The bill (S. 1797) granting an increase of pension to John E. Henderson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of the U. S. S. Dahlia" and insert "acting third assistant engineer;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John E. Henderson, late acting third assistant engineer, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES M. BROUGH.

The bill (S. 6947) granting an increase of pension to C. M. Brough was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Brough, late of Company A, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles M. Brough."

JOHN ADSHEAD.

The bill (S. 5106) granting an increase of pension to John Adshead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Adshead, late of Company A, Fourth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM E. CUMMIN.

The bill (S. 6223) granting an increase of pension to William E. Cummin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to insert "first lieutenant Company F, and;" in line 7, after the word "Company," to strike out the letter "F" and insert "I;" and in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William E. Cummin, late first lieutenant Company F, and captain Company I, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. SHECKLER.

The bill (S. 7162) granting a pension to William H. Sheckler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Sheckler, late of Company E, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William H. Sheckler."

SARAH R. WILLIAMS.

The bill (S. 6510) granting an increase of pension to Sarah R. Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Engineer," to strike out "United States;" and in line 8, before the word "and," to insert "United States Army;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah R. Williams, widow of Ferdinand Williams, late first lieutenant, Engineer Corps, United States Army, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE B. DRAKE.

The bill (S. 7094) granting an increase of pension to George B. Drake was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Drake, late of Company G, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE F. FORD.

The bill (S. 5991) granting an increase of pension to George F. Ford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George F. Ford, late of Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL LOOSLEY.

The bill (S. 5836) granting an increase of pension to Daniel Loosley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Loosley, late first Lieutenant, Fourteenth Regiment, and captain, Twenty-third Regiment, United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GILES M. CATON.

The bill (S. 7378) granting a pension to Giles M. Caton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "late," to strike out "surgeon" and insert "of Company M;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Giles M. Caton, helpless and dependent son of Giles W. Caton, late of Company M, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA J. COLLINS.

The bill (S. 7377) granting an increase of pension to Martha J. Collins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "widow," to strike out the name "Callins" and insert "Collins," and in line 7, before the word "late," to strike out the name "Callins" and insert "Collins;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha J. Collins, widow of Howard Collins, late of Company E, Second Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Martha J. Collins."

ANDERSON HENRY.

The bill (S. 6625) granting an increase of pension to Anderson Henry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anderson Henry, late of Company B, Ninth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. TRACY.

The bill (S. 6736) granting a pension to Charles H. Tracy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "seventy-two" and insert "sixty;" and in the same line, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Tracy, late of Company A, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$60 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles H. Tracy."

ESTHER ELDRIDGE.

The bill (S. 6800) granting an increase of pension to Esther Eldridge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "widow," to strike out the name "Eldredge" and insert "Eldridge;" and in line 7, before the word "late," to strike out the name "Eldredge" and insert "Eldridge;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Esther Eldridge, widow of Daniel D. Eldridge, late of Company F, Eighteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Esther Eldridge."

Theron Hamner.

The bill (S. 6590) granting an increase of pension to Theron Hamner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out the name "Hammer" and insert "Hamner;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theron Hamner, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Theron Hamner."

LUKE M. LEWIS.

The bill (S. 7349) granting an increase of pension to Luke M. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Second," to insert "Regiment;" in line 7, before the word "Sharpshooters," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Luke M. Lewis, late of Company E, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARVIN OSGOOD.

The bill (S. 6372) granting an increase of pension to Marvin Osgood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marvin Osgood, late of Company K, Sixth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL G. HEALY.

The bill (S. 6915) granting an increase of pension to Samuel G. Healy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel G. Healy, late of Company C, Tenth Regiment New Hampshire

Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN E. STOVER.

The bill (S. 6916) granting an increase of pension to Nathan E. Stover was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathan E. Stover, late of Company A, Eleventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID A. EDWARDS.

The bill (S. 6325) granting an increase of pension to David A. Edwards was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David A. Edwards, late of Company B, Fifth Battalion Maine Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DANA H. M'DUFFEE.

The bill (S. 6670) granting an increase of pension to Dana H. McDuffee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of the," to insert "U. S. S. Monongahela and Ohio;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dana H. McDuffee, late of the U. S. S. Monongahela and Ohio, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD DODGE.

The bill (S. 7350) granting an increase of pension to Richard Dodge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard Dodge, late of Company D, Ninth Regiment United States Infantry, war with Mexico, and Company D, Second Regiment, and Company K, Seventeenth Regiment, Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA D. BARNES.

The bill (S. 6733) granting a pension to Anna D. Barnes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna D. Barnes, widow of Joseph H. Barnes, late lieutenant-colonel Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Anna D. Barnes."

GEORGE MAYBURY.

The bill (S. 6835) granting an increase of pension to George Maybury was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to

the provisions and limitations of the pension laws, the name of George Maybury, late of Company D, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATHANIEL GREEN.

The bill (S. 5912) granting an increase of pension to Nathaniel Green was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathaniel Green, late of Company H, Tenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM B. SAYLES.

The bill (S. 6963) granting an increase of pension to William B. Sayles was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William B. Sayles, late of Company A, Tenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS ASHTON.

The bill (S. 6960) granting an increase of pension to Thomas Ashton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Ashton, late of Company I, Fifth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM KIRKWOOD.

The bill (S. 4033) granting an increase of pension to William Kirkwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kirkwood, late of Company I, Fourteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN A. WILLIAMS.

The bill (S. 6573) granting an increase of pension to John A. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Williams, late of Company F, Fourth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA M. LAMBERT.

The bill (S. 4108) granting an increase of pension to Martha M. Lambert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha M. Lambert, widow of Henry R. Lambert, late of Company L, Second Regiment Minnesota Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD W. GALLIGAN.

The bill (S. 6050) granting an increase of pension to Edward W. Galligan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward W. Galligan, late of Company H, Fourteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, or-

dered to be engrossed for a third reading, read the third time, and passed.

HENRY W. MAHANAY.

The bill (S. 6687) granting an increase of pension to Henry W. Mahaney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry W. Mahaney, late of Company B, One hundred and thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB NIEBELS.

The bill (S. 756) granting a pension to Jacob Neibels was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Neibels, late of Company E, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jacob Neibels."

ANNA WILLIAMS.

The bill (S. 3295) granting an increase of pension to Anna Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "and," to strike out "Volunteers" and insert "Corps;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Williams, widow of John C. Williams, late of Company C, One hundredth Regiment Pennsylvania Volunteer Infantry, and Company B, Third Regiment Veteran Reserve Corps, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KEZIAH WALKER.

The bill (S. 6958) granting an increase of pension to Keiziah Walker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Keiziah Walker, widow of Carmi W. Walker, late of McLain's independent battery, Colorado Volunteer Light Artillery, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Keiziah Walker."

ESTHER A. CLEVELAND.

The bill (S. 7099) granting an increase of pension to Esther A. Cleveland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "late," to strike out "of" and insert "boatswain;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Esther A. Cleveland, widow of Charles H. Cleveland, late boatswain, United

States Navy, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES CARPENTER, JR.

The bill (S. 6811) granting an increase of pension to James Carpenter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to insert "junior;" in the same line, after the word "late," to strike out "of" and insert "second lieutenant;" and in line 9, before the word "dollars," to strike out "sixty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Carpenter, jr., late second lieutenant Company H, Eighty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate as amended.

Mr. McCUMBER. I move to amend the amendment in line 9 by striking out "twenty-four" and inserting "thirty" before the word "dollars."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James Carpenter, jr."

DANIEL N. McCARTER.

The bill (S. 2780) granting an increase of pension to Daniel McCarter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Daniel," to insert the initial "N.;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel N. McCarter, late of Company I, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Daniel N. McCarter."

WILLIAM I. ROSS.

The bill (S. 6571) granting an increase of pension to William G. Ross was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William I. Ross, late of Company B, One hundred and fifty-fourth Regiment New York Volunteer Infantry, and Company G, Ninth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William I. Ross."

WILLIAM ARNOLD.

The bill (S. 6722) granting an increase of pension to William Arnold was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Arnold, late surgeon Thirty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS P. WAY.

The bill (S. 6710) granting an increase of pension to Thomas P. Way was considered as in Committee of the Whole. It pro-

poses to place on the pension roll the name of Thomas P. Way, late of Company F, Seventh Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN R. MCCOY.

The bill (S. 7265) granting an increase of pension to John R. McCoy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John R. McCoy, late of Company B, First Regiment West Virginia Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DELL E. PERT.

The bill (S. 4113) granting an increase of pension to Dell E. Pert was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dell E. Pert, widow of Stephen R. Pert, late of Company I, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SOLOMON DRAPER.

The bill (S. 7053) granting an increase of pension to Solomon Draper was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of Company D" and insert "hospital steward;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Solomon Draper, late hospital steward, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM P. PATTIRSON.

The bill (S. 7294) granting an increase of pension to W. P. Patterson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Pattirson, late of Company D, Ninety-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William P. Pattirson."

JOHN W. McWILLIAMS.

The bill (S. 5854) granting an increase of pension to John W. McWilliams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. McWilliams, late of the Signal Corps, United States Army, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COLUMBUS B. MASON.

The bill (S. 6708) granting an increase of pension to Columbus B. Mason was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "captain," to strike out "late;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Columbus B. Mason, late lieutenant-colonel Thirteenth Regiment and captain Company A, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN CARPENTER.

The bill (S. 6459) granting an increase of pension to Ellen Carpenter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen Carpenter, widow of Sidney B. Carpenter, late captain Company B, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving, and \$2 per month additional on account of minor child of the said Sidney B. Carpenter until he reaches the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSA OLDS JENKINS.

The bill (S. 4769) granting an increase of pension to Rosa Olds Jenkins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "lieutenant," to insert "and quartermaster;" in line 8, before the word "Infantry," to strike out "Volunteer" and insert "National Guard;" and in line 9, before the word "dollars," to strike out "eighteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa Olds Jenkins, widow of Charles E. Jenkins, late first lieutenant and quartermaster, Twenty-eighth Regiment New York National Guard Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SILAS G. CLARK.

The bill (S. 6350) granting an increase of pension to Silas G. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Volunteer," to strike out "Mounted;" and in the same line, before the word "Infantry," to insert "Mounted;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Silas G. Clark, late of Company C, Third Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. JACKSON.

The bill (S. 6726) granting an increase of pension to Mary A. Jackson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "first lieutenant;" in line 8, before the word "and," to insert "war with Mexico;" and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to

the provisions and limitations of the pension laws, the name of Mary A. Jackson, widow of Thomas J. Jackson, late first lieutenant, First Regiment United States Artillery, war with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. WEST.

The bill (S. 6351) granting an increase of pension to Andrew J. West was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Mounted," to insert "Volunteer;" and in the same line, before the word "Infantry," to strike out "Volunteer;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. West, late of Company A, Second Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WASHINGTON D. GRAY.

The bill (S. 6589) granting an increase of pension to Washington D. Gray was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to strike out "C, Sixth Regiment Massachusetts Volunteer Infantry" and insert "M, First Regiment New Hampshire Volunteer Heavy Artillery;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Washington D. Gray, late of Company M, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL J. SPRINKLE.

The bill (S. 5292) granting an increase of pension to Michael J. Sprinkle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael J. Sprinkle, late second lieutenant Company C, Third Regiment North Carolina Volunteer Mounted Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARSHALL JOHNSON.

The bill (S. 7069) granting an increase of pension to Marshall Johnson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marshall Johnson, late of Company D, One hundred and eighty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET KEARNEY.

The bill (S. 5021) granting an increase of pension to Margaret Kearney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to strike out "Heavy Artillery" and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Kearney, widow of James Kearney, late of Company A, Third Regiment Rhode Island Volunteer Cavalry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR HATHORN.

The bill (S. 6588) granting an increase of pension to Arthur Hathorn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Arthur Hathorn, late of First Battery Maine Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NOAH JARVIS.

The bill (S. 7192) granting an increase of pension to Noah Jarvis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Noah Jarvis, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RUTH E. OLNEY.

The bill (S. 5023) granting an increase of pension to Ruth E. Olney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ruth E. Olney, formerly widow of Francis W. Potter, late of Company E, Seventh Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID C. BENJAMIN.

The bill (S. 7193) granting an increase of pension to David C. Benjamin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David C. Benjamin, late of Company D, Second Regiment Ohio Volunteers, war with Mexico, and captain Company I, Thirty-ninth Regiment Ohio Volunteer Infantry, and Company B, One hundred and second Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN H. NIBLOCK.

The bill (S. 6703) granting an increase of pension to John H. Niblock considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Niblock, late of Company G, One hundred and thirty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIAS H. PARKER.

The bill (S. 3320) granting an increase of pension to Elias H. Parker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provision and limitations of the pension laws, the name of Elias H. Parker, late of Company I, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. BERRY.

The bill (S. 7246) granting an increase of pension to William H. Berry was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Berry, late of Company D, Twenty-sixth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NANCY J. MULLALLY.

The bill (S. 4055) granting a pension to Nancy J. Mullally was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "mother," to insert "dependent;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy J. Mullally, dependent mother of George S. Mullally, late of Company C, Seventh Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL DOOLITTLE.

The bill (S. 4813) granting an increase of pension to Samuel M. Doolittle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the name "Doolittle," to strike out the letter "M.;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Doolittle, late of Company H, Second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel Doolittle."

AUSTIN S. DUNNING.

The bill (S. 7157) granting an increase of pension to Austin S. Dunning was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Austin S. Dunning, late of Company I, Second Regiment Minnesota Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT JENKINS.

The bill (S. 6936) granting an increase of pension to Robert Jenkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Jenkins, late of Company H, Ninth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL ROSBRUGH.

The bill (S. 6937) granting an increase of pension to Michael Rosbrugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Rosbrugh, late of Company C, Fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM R. NEIL.

The bill (S. 6935) granting an increase of pension to W. R. Neil was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of" where it occurs the first time, to strike out the letter "W." and insert "William;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Neil, late of Company A, Forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William R. Neil."

GEORGE A. TYLER.

The bill (S. 7161) granting an increase of pension to George A. Tyler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 10, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George A. Tyler, late of Company M, First Regiment Connecticut Volunteer Heavy Artillery, and One hundred and fourth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HAGER.

The bill (S. 7160) granting an increase of pension to John Hager was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hager, late of Troop C, First Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH DANIELS.

The bill (S. 6532) granting an increase of pension to Joseph Daniels was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Daniels, late of Company E, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORLANDO O. AUSTIN.

The bill (S. 1516) granting an increase of pension to O. O. Austin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of" where it occurs the first time, to strike out the letter "O." and insert "Orlando;" in the same line, after the word "late," to strike out "of" and insert "captain;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Orlando O. Austin, late captain Company I, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN S. LEWIS.

The bill (S. 7075) granting an increase of pension to J. S. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," where it occurs the first time, to strike out the letter "J." and insert "John;" and in line 8, before the word "dollars," to strike out "forty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Lewis, late of Company L, Eighth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John S. Lewis."

WILLIAM JENKINS.

The bill (S. 7074) granting an increase of pension to William Jenkins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "and," to insert "Missouri Home Guards;" and in line 8, before the word "dollars," to strike out "forty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Jenkins, late of Company B, Fifteenth Regiment United States Reserve Corps, Missouri Home Guards, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE E. VANDERWALKER.

The bill (S. 6233) granting an increase of pension to George E. Vanderwalker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George E. Vanderwalker, late of Company A, Eleventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASE OF PENSIONS OF ARMY NURSES.

The bill (S. 695) increasing the pensions of Army nurses was announced as the next pension bill on the Calendar.

Mr. KEAN. I do not think that bill comes under this order.

Mr. McCUMBER. No; it does not come under the request.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

JAMES M. BULLARD.

The bill (S. 362) granting an increase of pension to James M. Bullard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Bullard, late of Company B, Fourteenth Regiment Ohio Volunteer Infantry, and Company E, Twenty-fourth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HELEN C. LETTENMAYER.

The bill (S. 7428) granting an increase of pension to Helen C. Lettenmayer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen C. Lettenmayer, widow of Otto Lettenmayer, late of Company G, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT F. PEPOON.

The bill (S. 5586) granting an increase of pension to Albert F. Pepon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert F. Pepon, late of Company H, Ninth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. MICKLER.

The bill (S. 6226) granting an increase of pension to Mary A. Mickler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to insert "Florida Indian war," and in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Mickler, widow of James A. Mickler, late of Captain Mickler's company, Florida Volunteers, Florida Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADELAIDE D. MERRITT.

The bill (S. 5699) granting an increase of pension to Adelaide D. Merritt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "major, United States Army, retired," and insert "captain, Twenty-fourth Regiment United States Infantry;" and in line 9, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adelaide D. Merritt, widow of Thomas E. Merritt, late captain, Twenty-fourth Regiment United States Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M. DARLING.

The bill (H. R. 8631) for the relief of James M. Darling was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the word "Volunteers," to insert the following proviso:

Provided, That no pay, allowances, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That James M. Darling shall hereafter be held and considered to have been honorably discharged from the military service of the United States on July 11, 1864, as captain Company H, Fifty-seventh Pennsylvania Infantry Volunteers: *Provided*, That no pay, allowances, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES B. MULFORD.

The bill (H. R. 3357) granting an honorable discharge to James B. Mulford was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 10, after the word "act," to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That James B. Mulford be held and considered to have been mustered into service as a private of Company B, Seventy-ninth Regiment Ohio Volunteer Infantry, as of date of August 18, 1862, and to have been honorably discharged as of date of October 21, 1862, and that the Secretary of War is hereby authorized and directed to issue an honorable discharge in accordance with the provisions of this act: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM W. BENNETT.

The bill (H. R. 15769) granting an increase of pension to William W. Bennett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Bennett, late major and lieutenant-colonel Eleventh Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS M. WILCOX.

The bill (H. R. 1026) granting an increase of pension to Thomas M. Wilcox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas M. Wilcox, late of Battery L, First Regiment United States Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN ALPHONS LUTHER.

The bill (H. R. 18677) granting a pension to Martin Alphons Luther was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martin Alphons Luther, late of Company F, Fifth Regiment United States Infantry, and to pay him a pension of \$16 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. GASKEY.

The bill (H. R. 21578) granting an increase of pension to Andrew J. Gaskey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Gaskey, late of Company D, First Battalion Alabama

Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH T. EAGLER.

The bill (H. R. 13887) granting an increase of pension to Joseph T. Eagler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph T. Eagler, late of Company D, Forty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. WORLEY.

The bill (H. R. 10804) granting an increase of pension to John H. Worley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Worley, late of Company K, Fourteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI DODSON.

The bill (H. R. 10958) granting an increase of pension to Levi Dodson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi Dodson, late of Company C, Sixtieth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. HAYS.

The bill (H. R. 8563) granting an increase of pension to William H. Hays was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Hays, late of Company I, One hundred and third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. HARRIS.

The bill (H. R. 10751) granting an increase of pension to George W. Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Harris, late of Company F, Third Regiment Michigan Volunteer Infantry, and Company I, Tenth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC N. S. WILL.

The bill (H. R. 20617) granting an increase of pension to Isaac N. S. Will was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac N. S. Will, late of Company I, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM G. BINKLEY.

The bill (H. R. 10531) granting an increase of pension to William G. Binkley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William G. Binkley, late of Company C, One hundred and twenty-second Regiment Pennsylvania Volunteer Infantry, and quartermaster-sergeant Fiftieth Regiment Pennsylvania Emergency Militia Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUGENE DEMERS.

The bill (H. R. 19970) granting an increase of pension to Eugene Demers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eugene Demers, late of Company D, One hundred and twenty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$65 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA FLYNN.

The bill (H. R. 10755) granting an increase of pension to Anna Flynn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna Flynn, widow of James Flynn, late of Company A, Thirtieth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT TURLEY.

The bill (H. R. 20714) granting an increase of pension to Robert Turley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Turley, late of United States Marine Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BRADLEY.

The bill (H. R. 20559) granting an increase of pension to John Bradley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Bradley, late of Company D, Sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB L. HATTON.

The bill (H. R. 7488) granting an increase of pension to Jacob L. Hatton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob L. Hatton, late of Company D, Fourth Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. McATEE.

The bill (H. R. 15004) granting an increase of pension to William J. McAtee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. McAtee, late of Company A, Fourth Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE C. DEAN.

The bill (H. R. 7476) granting an increase of pension to George C. Dean was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George C. Dean, late of Company I, One hundred and ninth Regiment, and Company I, Fifty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI CHAPMAN.

The bill (H. R. 8789) granting an increase of pension to Levi Chapman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi Chapman, late of Company C, First Regiment Maine Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. TURNER.

The bill (H. R. 6911) granting an increase of pension to William J. Turner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Turner, late of Company C, Fourth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES L. ALLEN.

The bill (H. R. 3355) granting an increase of pension to James L. Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James L. Allen, late of Company B, Twenty-second Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM R. SEARS.

The bill (H. R. 19390) granting an increase of pension to William R. Sears was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William R. Sears, late of U. S. S. *Shamrock*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOWARD BENNETT.

The bill (H. R. 19725) granting an increase of pension to Howard Bennett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Howard Bennett, late of Company C, Sixteenth Regiment United States Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GAINFORD N. UPTON.

The bill (H. R. 15763) granting an increase of pension to Gainford N. Upton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gainford N. Upton, late of Company K, Twelfth Regiment, and Company C, Twenty-third Regiment, Ohio Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES B. O. HORBACH.

The bill (H. R. 20623) granting an increase of pension to James B. O. Horbach was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James B. O. Horbach, late of Company A, One hundred and forty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EARL K. CHILDS.

The bill (H. R. 2422) granting an increase of pension to Earl K. Childs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Earl K. Childs, late of Company K, First Regiment Michigan Volunteer Engineers and Mechanics, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS LONERGAN.

The bill (H. R. 3297) granting an increase of pension to Thomas Lonergan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Lonergan, late of Company G, Thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILTON S. COLLINS.

The bill (H. R. 3195) granting an increase of pension to Milton S. Collins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Milton S. Collins, late of Company H, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL DOYLE.

The bill (H. R. 3228) granting an increase of pension to Michael Doyle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Doyle, late of Company L, Eighth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. PATTERSON.

The bill (H. R. 10364) granting an increase of pension to John P. Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Patterson, late of Company A, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER REEDY.

The bill (H. R. 2290) granting an increase of pension to Peter Reedy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Reedy, late of Company I, Fiftieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL MAHONEY.

The bill (H. R. 2761) granting an increase of pension to Michael Mahoney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Mahoney, late of Company K, Eighth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI GATES.

The bill (H. R. 2822) granting an increase of pension to Levi Gates was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi Gates, late of Company D, Brackett's battalion Minnesota Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB T. WISE.

The bill (H. R. 2909) granting an increase of pension to Jacob T. Wise was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob T. Wise, late of Company C, First Regiment United States Volunteer Sharpshooters, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL HARVEY.

The bill (H. R. 3194) granting an increase of pension to Samuel Harvey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Harvey, late of Company H, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RUSH DESKINES.

The bill (H. R. 3234) granting an increase of pension to Rush Deskines was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rush Deskines, late of Company D, Fourteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIMEON D. CHELF.

The bill (H. R. 3733) granting an increase of pension to Simeon D. Chelf was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Simeon D. Chelf, late of Company G, Sixth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK G. HAMMOND.

The bill (H. R. 3980) granting a pension to Frank G. Hammond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank G. Hammond, late of Company H, Thirty-seventh Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported with an amendment to the title, so as to make it read: "A bill granting an increase of pension to Frank G. Hammond."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ALBERT A. TALHAM.

The bill (H. R. 3494) granting an increase of pension to Albert A. Talham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert A. Talham, late of Company H, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD WALTON.

The bill (H. R. 3496) granting an increase of pension to Edward Walton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Walton, late of Company K, Second Regiment New York Volunteer Infantry, and Company F, Sixteenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELI STOVER.

The bill (H. R. 15471) granting an increase of pension to Eli Stover was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eli Stover, late of Company C, Eighth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSIAH P. HIGGINS.

The bill (H. R. 13455) granting an increase of pension to Josiah P. Higgins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah P. Higgins, late of Companies G and D, First Regiment West Virginia Volunteer Cavalry, and U. S. S. *Sybil*, *Red Rover*, and *Grampus*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WAITMAN T. MATHERS.

The bill (H. R. 20968) granting an increase of pension to Waitman T. Mathers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Waitman T. Mathers, late of Company D, Fourth Regiment West Virginia Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUGH BLAIR.

The bill (H. R. 20891) granting an increase of pension to Hugh Blair was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hugh Blair, late of Company H, Eighty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES BARNELL, ALIAS RICHARD NORTH.

The bill (H. R. 14543) granting an increase of pension to Charles Barnell, alias Richard North, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Barnell, alias Richard North, late of Company B, Two hundred and thirteenth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK ROSCHDIANTZKY.

The bill (H. R. 522) granting an increase of pension to Frederick Roschdiantzky was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Roschdiantzky, late of Company D, Forty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. MOHN.

The bill (H. R. 562) granting an increase of pension to John F. Mohn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John F. Mohn, late of Company I, Second Regiment Ohio Volunteer Cavalry,

and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OLIVER N. McLAIN.

The bill (H. R. 600) granting an increase of pension to Oliver N. McLain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oliver N. McLain, late of Company E, Thirty-fourth Regiment Iowa Volunteer Infantry, and Company A, Seventh Regiment Veteran Reserve Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT SMITH.

The bill (H. R. 747) granting an increase of pension to Robert Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Smith, late of Company B, Third Regiment Tennessee Mounted Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET E. LOUNSBURY.

The bill (H. R. 1060) granting an increase of pension to Margaret E. Lounsbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret E. Lounsbury, widow of Herbert Lounsbury, late of Company H, Twenty-eighth Regiment New York Volunteer Infantry, and U. S. S. *New Hampshire*, *Paunce*, and *Vandalia*, United States Navy, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB BENDER.

The bill (H. R. 1067) granting an increase of pension to Jacob Bender was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Bender, late of Company F, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM S. QUIGLEY.

The bill (H. R. 1068) granting an increase of pension to William S. Quigley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William S. Quigley, late of Company C, One hundred and thirty-fifth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JENNIE E. EDSON.

The bill (H. R. 1673) granting an increase of pension to Jennie E. Edson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie E. Edson, widow of Joseph M. Edson, late of Company I, Fourth Regiment Vermont Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES C. DALY.

The bill (H. R. 1687) granting an increase of pension to James C. Daly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James C. Daly, late of Company A, Battalion Volunteer Cavalry, Mississippi Marine Brigade, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE H. WASHBURN.

The bill (H. R. 1706) granting an increase of pension to George H. Washburn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Washburn, late of Company C, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRICE P. MUNNS.

The bill (H. R. 1709) granting an increase of pension to Brice P. Munns was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Brice P. Munns, late of Company G, Seventh Regiment Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA J. INGLE.

The bill (H. R. 1800) granting a pension to Eliza J. Ingle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza J. Ingle, widow of William T. Ingle, late a member of Company E, Fourteenth Regiment Iowa Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIMEON YORK.

The bill (H. R. 1891) granting an increase of pension to Simeon York was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Simeon York, late of Company K, Thirteenth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NELSON R. SATTERLEE.

The bill (H. R. 1904) granting an increase of pension to Nelson R. Satterlee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nelson R. Satterlee, late of Company E, Eighty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS B. FOUTTY.

The bill (H. R. 1938) granting an increase of pension to Thomas B. Foutty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas B. Foutty, late of Company C, Second Regiment West Virginia Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OLIVER P. PIERCE.

The bill (H. R. 1169) granting an increase of pension to Oliver P. Pierce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oliver P. Pierce, late of Company A, Seventeenth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM R. FULK.

The bill (H. R. 1249) granting a pension to William R. Fulk was considered as in Committee of the Whole. It proposes to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William R. Fulk, late of Company F, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and time of payment without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPHINE I. RICHMOND.

The bill (H. R. 1372) granting a pension to Josephine I. Richmond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josephine I. Richmond, widow of Obediah Richmond, late of Company A, Fifth Regiment United States Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMILY J. SHERMAN.

The bill (H. R. 1500) granting a pension to Emily J. Sherman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emily J. Sherman, helpless and dependent daughter of Nathan P. Sherman, late of Company E, Fourteenth Regiment Vermont Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID WILBORN.

The bill (H. R. 10789) granting a pension to David Wilborn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Wilborn, late of Company A, Ninth Battalion Ohio Volunteer Infantry, war with Spain, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARLOW DAVIS.

The bill (H. R. 18454) granting an increase of pension to Barlow Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Barlow Davis, late of Brady's company, Sixteenth Regiment Michigan Volunteer Infantry, and second lieutenant Company B, Thirtieth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH E. CANNELL.

The bill (H. R. 19482) granting an increase of pension to Sarah E. Cannell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah E. Cannell, widow of Thomas N. Cannell, late of Company A, One hundred and third Regiment Ohio Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN REMICK.

The bill (H. R. 14298) granting an increase of pension to John Remick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Remick, late of Company G, Fifteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ZELINDA E. ODENBAUGH.

The bill (H. R. 4386) granting an increase of pension to Zelinda E. Odenbaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Zelinda E. Odenbaugh, former widow of John N. Thompson, late of Company K, Twenty-fourth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. DEDRICK.

The bill (H. R. 4648) granting an increase of pension to Sarah A. Dedrick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah A. Dedrick, widow of Albert C. Dedrick, late assistant surgeon, Fourth Regiment Rhode Island Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS SNELL.

The bill (H. R. 4656) granting an increase of pension to Thomas Snell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Snell, late of Company G, Eleventh Regiment Rhode Island Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HORACE B. TANNER.

The bill (H. R. 4663) granting an increase of pension to Horace B. Tanner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horace B. Tanner, late of Companies C and G, First Regiment Rhode Island Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET E. PALMER.

The bill (H. R. 4705) granting a pension to Harriet E. Palmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet E. Palmer, widow of Henry J. Palmer, late of Company E, Tenth Regiment Michigan Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SILAS V. WHITE.

The bill (H. R. 4834) granting an increase of pension to Silas V. White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas V. White, late of Company G, Fifty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ASSOV HARELSON.

The bill (H. R. 19296) granting an increase of pension to Assov Harelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Assov Harelson, late of Company G, Forty-ninth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN V. BARNEY.

The bill (H. R. 18742) granting an increase of pension to Martin V. Barney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martin V. Barney, late of Company K, and second lieutenant Company B, Third Regiment Massachusetts Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS HANER.

The bill (H. R. 13241) granting an increase of pension to Francis Haner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Haner, late of Company C, Twenty-eighth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMBROSE S. DELAWARE.

The bill (H. R. 12911) granting an increase of pension to Ambrose S. Delaware was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ambrose S. Delaware, late second lieutenant Company F, Twenty-first Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALVIN N. D. KITE.

The bill (S. 6624) granting an increase of pension to Alvin N. Kite was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Kite," to insert the letter "D.;" and in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvin N. D. Kite, late of Company A, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Alvin N. D. Kite."

MOLLIE J. MITCHELL.

The bill (S. 6623) granting an increase of pension to Samuel H. Mitchell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mollie J. Mitchell, widow of Richard P. Mitchell, late surgeon First Regiment Tennessee Volunteer Light Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Samuel H. Mitchell, helpless and dependent child of said Richard P. Mitchell, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mollie J. Mitchell the name of said Samuel H. Mitchell shall be placed on the pension roll, subject to the provisions and limitations

of the pension laws, at the rate of \$12 per month from and after the date of death of said Mollie J. Mitchell.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mollie J. Mitchell."

ELIZABETH B. BOYLE.

The bill (S. 4404) granting an increase of pension to Elizabeth B. Boyle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth B. Boyle, widow of Henry G. Boyle, alias Henry B. Miller, late of Company C, Mormon Battalion, Iowa Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT H. NASH.

The bill (S. 6948) granting an increase of pension to Albert H. Nash was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "K" and insert "G;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert H. Nash, late of Company G, Thirteenth Regiment New York Volunteer Infantry, and first lieutenant and adjutant First Regiment New York Veteran Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET M'CULLOUGH.

The bill (S. 7069) granting an increase of pension to Margaret McCullough was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to insert "war with Mexico;" and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret McCullough, widow of Thomas J. McCullough, late of Company E, Fourth Regiment Tennessee Volunteer Infantry, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LORENZO F. HARMON.

The bill (S. 1879) granting an increase of pension to Lorenzo F. Harmon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "late of," to insert "Company C;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorenzo F. Harmon, late of Company C, Mormon Battalion, Iowa Volunteers, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS H. DE CASTRO.

The bill (S. 7402) granting an increase of pension to F. H. De Castro was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with

an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis H. De Castro, late of U. S. S. Peosta, Great Western, and Missouri, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Francis H. De Castro."

AUGUSTA T. EICHHOLTZ.

The bill (S. 7353) granting an increase of pension to Augusta T. Eichholtz was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Company," to strike out the letter "K" and insert "L;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augusta T. Eichholtz, widow of Hugh Eichholtz, late of Company L, Fifteenth Regiment, New York Volunteer Heavy Artillery, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SARAH A. KUMLER.

The bill (S. 7623) granting an increase of pension to Sarah A. Kumler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "Infantry," to strike out "Volunteer" and insert "National Guard;" and in line 9, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. Kumler, widow of William F. Kumler, late of Company A, One hundred and sixty-seventh Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID TURNER.

The bill (S. 7358) granting an increase of pension to David Turner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to strike out "and unassigned Ohio Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Turner, late of Company D, Forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY LOUISE M'LEAN.

The bill (S. 6408) granting an increase of pension to Mary Louise McLean was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Louise McLean, widow of Nathaniel C. McLean, late brigadier-general, United States Volunteers, and pay her a pension at the rate of \$30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA M. LOOMIS.

The bill (S. 4509) granting an increase of pension to Anna M. Loomis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty-six;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna M. Loomis, widow of Orlando M. Loomis, late captain Company I, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$36 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA E. HOOD.

The bill (S. 5886) granting an increase of pension to Anna E. Hood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna E. Hood, widow of Charles F. Hood, late of Company B, First Regiment Ohio Volunteer Cavalry, and Company A, Sixty-second Regiment Ohio Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STEPHEN H. S. COOK.

The bill (S. 7649) granting an increase of pension to Stephen H. S. Cook was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" and in line 8, before the word "dollars," to strike out "forty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen H. S. Cook, late second lieutenant Company G, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN MONROE.

The bill (S. 7062) granting a pension to John Monroe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Monroe, late of Company E, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John Monroe."

MARY M'GILL.

The bill (S. 3896) granting a pension to Mary McGill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty," and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary McGill, widow of Patrick McGill, late of Troop A, Fifth Regiment United States Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. KELSEY.

The bill (S. 6436) granting an increase of pension to George W. Kelsey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five," and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Kelsey, late of Company D, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY MORGAN.

The bill (S. 7556) granting an increase of pension to Mary Morgan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Morgan, widow of James Morgan, late of Company C, Thirteenth Regiment Wisconsin Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS SPANTON.

The bill (S. 7558) granting an increase of pension to Thomas Spanton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Spanton, late of Company A, One hundred and fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL WISE.

The bill (S. 2693) granting an increase of pension to Samuel Wise was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Wise, late of Company B, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BENJAMIN F. WRIGHT.

The bill (S. 6633) granting an increase of pension to Benjamin F. Wright was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Wright, late of Company E, Second Regiment California Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES J. EUBANK.

The bill (S. 6637) granting an increase of pension to James J. Eubank was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James J. Eubank, late of Company C, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and Company M, Fifth Regiment United States Colored Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FREDRICK MIDDAGH.

The bill (S. 6933) granting an increase of pension to Frederick Middagh was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," where it occurs the first time, to strike out the name "Frederick" and insert "Fredrick;" and in the same line, after the word "Company," to strike out the letter "B" and insert "E;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fredrick Middagh, late of Company E, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Fredrick Middaugh."

EDMUND FILLIO.

The bill (S. 7067) granting an increase of pension to Edmund Fillio was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Infantry," to strike out "Volunteer" and insert "Militia;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edmund Fillio, late of Company B, Forty-ninth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELEN L. WOODWARD.

The bill (S. 3461) granting a pension to Helen L. Woodward was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen L. Woodward, widow of Frederick S. Woodward, late hospital steward, United States Army, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JULIA C. R. BAIRD.

The bill (S. 7339) granting a pension to Julia C. R. Baird was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to insert "United States Army, retired;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia C. R. Baird, widow of George W. Baird, late brigadier-general, United States Army, retired, and pay her a pension at the rate of \$50 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT B. McCUMBER.

The bill (S. 7543) granting an increase of pension to Robert B. McCumber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert B. McCumber, late of Company C, Ninth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TIMOTHY DREW.

The bill (S. 7066) granting an increase of pension to Timothy Drew was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Regiment," to insert "and Company K, Eighth Regiment;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Timothy Drew, late of Company A, Forty-ninth Regiment, and Company K, Eighth Regiment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATE O'DONNELL WOOD.

The bill (S. 3583) granting an increase of pension to Kate O'Donnell Wood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "seventeen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate O'Donnell Wood, widow of Frederick B. Wood, late of Company A, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES E. CROFT.

The bill (S. 3319) granting an increase of pension to James E. Croft was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Croft, late of Twelfth Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. PEABODY.

The bill (S. 4818) granting an increase of pension to George W. Peabody was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Peabody, late of Company G, Fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABBY L. BROWN.

The bill (S. 5190) granting an increase of pension to Abby L. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abby L. Brown, widow of Richard A. Brown, late of Company G, Fifth Regiment Rhode Island Volunteer Heavy Artillery, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM P. PARRILL.

The bill (S. 2565) granting a pension to William P. Parrill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "and," to insert "war with Spain;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Parrill, late of Company M, First Regiment West Virginia Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$24 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY HUMBLE.

The bill (S. 6278) granting an increase of pension to Henry Humble was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to strike out the letter "F" and insert "I;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Humble, late of Company I, Twentieth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JULIA A. VROOM.

The bill (S. 5580) granting a pension to Julia Vroom was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia A. Vroom, widow of John Vroom, late of Company K, First Regiment New Jersey Volunteer Infantry, and Battery A, First Regiment New Jersey Volunteer Light Artillery, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Julia A. Vroom."

AMELIA R. RANDOLPH.

The bill (S. 7554) granting an increase of pension to Amelia R. Randolph was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amelia R. Randolph, widow of George F. Randolph, late captain Company K, Sixty-fifth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DELPHINE DARLING.

The bill (S. 3882) granting an increase of pension to Delphine Darling was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Delphine Darling, widow of Thomas V. Darling, late of United States Marine Corps, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM J. WELLS.

The bill (S. 6273) granting an increase of pension to William J. Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Wells, late of Company I, Fifty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE DOWNING.

The bill (S. 7361) granting an increase of pension to George Downing was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Downing, late of First Battery, Ohio Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES T. STEWART.

The bill (S. 6706) granting an increase of pension to James T. Stewart was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of James T. Stewart, late of Company B, First Regiment United States Veteran Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEMUEL T. WILLIAMS.

The bill (S. 6875) granting an increase of pension to Lemuel T. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lemuel T. Williams, late of Company E, Ninth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN WHITE.

The bill (S. 7293) granting an increase of pension to John White was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John White, late of Company C, First Regiment Nebraska Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VICTOR H. COFFMAN.

The bill (S. 7617) granting an increase of pension to Victor H. Coffman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "one hundred" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Victor H. Coffman, late surgeon Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JESSE L. PRITCHARD.

The bill (S. 6876) granting an increase of pension to Jesse L. Pritchard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to insert "and Second Regiment Colorado Volunteer Cavalry;" and in line 9, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse L. Pritchard, late major, Third Regiment Colorado Volunteer Infantry and Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. McCUMBER. I move to amend the amendment of the committee by striking out the word "thirty" before the word "dollars" and inserting in lieu thereof "thirty-six."

The amendment to the amendment was agreed to.

The amendments as amended were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALEXANDER M. COWGILL.

The bill (S. 7513) granting an increase of pension to Alexander M. Cowgill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to insert the letter "G;" in line 7, before the word "Regiment," to strike out "Fifteenth" and insert "Third;" and in the same line, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to

the provisions and limitations of the pension laws, the name of Alexander M. Cowgill, late of Company G, Third Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES DUBY, ALIAS LOUIS DESHEMEAN.

The bill (S. 2259) granting an increase of pension to Charles Duby was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "late," to insert "alias Louis Deshemean;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Duby, alias Louis Deshemean, late of Company H, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles Duby, alias Louis Deshemean."

LOUIS T. FRECH.

The bill (S. 549) granting a pension to Louis T. Frech was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis T. Frech, late of Company F, First Regiment District of Columbia Volunteer Infantry, war with Spain.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES J. FREESE.

The bill (S. 7445) granting an increase of pension to Charles J. Freese was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to insert "United States Navy;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles J. Freese, late of U. S. S. Minnesota, William Bridges, and Dragon, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN ANSLOW.

The bill (S. 7566) granting an increase of pension to John Anslow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Regiment," to strike out "K, Fourth" and insert "B, Sixty-fourth;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Anslow, late of Company B, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL BOGUE.

The bill (S. 7505) granting an increase of pension to Michael Bogue was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Bogue, late of Company A, Twenty-seventh Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, or-

dered to be engrossed for a third reading, read the third time, and passed.

GEORGE H. M'LAIN.

The bill (S. 5697) granting an increase of pension to George H. McLain was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. McLain, late of Company D, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BYRON A. WILLIAMS.

The bill (S. 7486) granting an increase of pension to Byron A. Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Byron A. Williams, late of Company E, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT C. WAGHER.

The bill (S. 7489) granting an increase of pension to Albert C. Wagner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert C. Wagner, late of Company A, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM W. PUTNAM.

The bill (S. 7488) granting an increase of pension to William W. Putnam was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Putnam, late of Company K, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SILAS N. PALMER.

The bill (S. 6964) granting an increase of pension to Silas N. Palmer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the words "late of," to insert "Company G, First Regiment Iowa Volunteer Cavalry, and;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Silas N. Palmer, late of Company G, First Regiment Iowa Volunteer Cavalry, and Companies D and B, Second Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY M. BULLARD.

The bill (S. 6820) granting an increase of pension to Henry M. Bullard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry M. Bullard, late of Company G, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

Mr. McCUMBER. I move to amend the amendment of the committee by striking out the word "twenty," before the word "dollars," and inserting in lieu thereof "twenty-four."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HIRAM SIEGFRIED.

The bill (S. 6957) granting an increase of pension to Hiram Siegfried was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "Infantry," to strike out "Volunteer" and insert "Drafted Militia;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram Siegfried, late of Company I, One hundred and seventy-eighth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL E. COOVER.

The bill (S. 7484) granting an increase of pension to Samuel E. Coover was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel E. Coover, late of Company F, Thirteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THEODORE J. SWEETING.

The bill (S. 6827) granting an increase of pension to Theodore J. Sweeting was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theodore J. Sweeting, late of Company G, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID HARVEY.

The bill (S. 2994) granting an increase of pension to David Harvey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Harvey, late of Company I, Seventh Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JUSTUS B. COOMER.

The bill (S. 7243) granting an increase of pension to Justus B. Coomer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Justus B. Coomer, late of Company C, Twelfth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CATHERINE MATIMORE.

The bill (S. 7101) granting an increase of pension to Catherine Matimore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catherine Matimore, widow of Michael Matimore, late of Company B, Eleventh Regiment Wisconsin Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANNA B. L. WALKER.

The bill (S. 1397) granting an increase of pension to Anna L. Walker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Anna," to insert the letter "B.;" and in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna B. L. Walker, widow of Ivan N. Walker, late Lieutenant-colonel Seventy-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Anna B. L. Walker."

MELVIN L. LE SUER, ALIAS JAMES FRENCH.

The bill (S. 7177) granting an increase of pension to M. L. Le Suer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Melvin L. Le Suer, alias James French, late of Companies D and I, Eighth Regiment United States Infantry, war with Mexico; Battery L, Fourth Regiment United States Artillery, and Troop D, Sixth Regiment United States Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Melvin L. Le Suer, alias James French."

LEWIS A. GRANT.

The bill (S. 6943) granting an increase of pension to L. A. Grant was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," to strike out the letter "L." and insert "Lewis;" in line 7, before the words "United States," to strike out "of;" and in line 8, before the word "dollars," to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis A. Grant, late brigadier-general and brevet major-general, United States Volunteers, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Lewis A. Grant."

CHARLES C. BURT.

The bill (S. 7335) granting an increase of pension to Charles C. Burt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles C. Burt, late of Company K, Eighth Regiment Vermont Volunteer Infantry, and Seventh Battery, Maine Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS J. NORTHROP.

The bill (S. 6143) granting an increase of pension to Thomas J. Northrop was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas J. Northrop, late of Company K, Sixth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MOSES FEYLER.

The bill (S. 2104) granting an increase of pension to Moses Feyler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Moses Feyler, late of Company A, Twenty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ASAPH H. WITHAM.

The bill (S. 1172) granting an increase of pension to Asaph H. Witham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Asaph H. Witham, late of Company H, Tenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SIMON PETER WALLERSON.

The bill (S. 6793) granting an increase of pension to Simon Peter Wallerson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Simon Peter Wallerson, late of Company I, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN TREFRY.

The bill (S. 6732) granting a pension to John Trefry was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Trefry, late of Company G, Fifty-ninth Regiment, and Company G, Fifty-seventh Regi-

ment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John Trefry."

ELIZA BRUSIE.

The bill (S. 6139) granting an increase of pension to Eliza A. Brusie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Brusie," to strike out the letter "A;" and in line 9, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Brusie, widow of Cornelius Brusie, late of Company H, Ninety-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Eliza Brusie."

JOHN HEATH.

The bill (S. 6584) granting an increase of pension to John Heath was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Heath, late of Company B, First Regiment Massachusetts Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MOSES ROWELL.

The bill (S. 6582) granting an increase of pension to Moses Rowell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Moses Rowell, late of Company I, Eleventh and Sixth Regiments New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL L. SEAVEY.

The bill (S. 6830) granting an increase of pension to Daniel L. Seavey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel L. Seavey, late of Company E, Thirty-eighth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAGE G. POTTER.

The bill (S. 7398) granting an increase of pension to Page G. Potter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Page G. Potter, late of Company B, First Regiment Vermont Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT T. BARR.

The bill (S. 6914) granting an increase of pension to Albert T. Barr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert T. Barr, late of Company I, Eighteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM S. GRAY.

The bill (S. 4681) granting an increase of pension to William S. Gray was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of William S. Gray, late of Company F, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HORACE P. MARSHALL.

The bill (S. 6671) granting an increase of pension to Horace P. Marshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horace P. Marshall, late of the First Independent Battery, New Hampshire Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPHINE BRACKETT.

The bill (S. 7744) granting a pension to Josephine Brackett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josephine Brackett, widow of Samuel B. Brackett, late of Company B, Fifth Regiment Maine Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DWIGHT SIMPSON.

The bill (S. 7740) granting an increase of pension to Dwight Simpson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dwight Simpson, late of Company I, First Regiment United States Veteran Volunteer Engineers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN KIRCH.

The bill (S. 4756) granting an increase of pension to John Kirch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to insert "and Company I, Fourth Regiment Veteran Reserve Corps;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Kirch, late of Company B, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and Company I, Fourth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

R. SMITH COATS.

The bill (S. 6431) granting an increase of pension to R. Smith Coats was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of R. Smith Coats, late of Company F, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES T. McREYNOLDS.

The bill (S. 6769) granting an increase of pension to James T. McReynolds was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with

an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James T. McReynolds, late of Company C, Fifty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES BOXMEYER.

The bill (S. 7119) granting an increase of pension to Charles Boxmeyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Boxmeyer, late of Company C, Third Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARVIN F. BARTON.

The bill (S. 1511) granting an increase of pension to Marvin F. Barton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marvin F. Barton, late of Company H, Fifty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. This completes the Calendar. What is the further pleasure of the Senate?

EDWARD L. CARPENTER.

Mr. McCUMBER. I should like to ask if the Senate passed the bill (S. 1425) granting an increase of pension to Edward L. Carpenter? I did not hear it called. I notice it is on the Calendar.

The VICE-PRESIDENT. It was not passed. It was passed over. Does the Senator wish to have the bill considered?

Mr. McCUMBER. I know of no reason, or at least I do not recall any reason, why it should not be considered.

The VICE-PRESIDENT. The Secretary will read the bill.

Mr. McCUMBER. If, as I am advised, I asked that it go over at some other time, I will ask that it lie over now.

The VICE-PRESIDENT. The bill will lie over without prejudice.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 16, 1907, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 15, 1907.

PROMOTIONS IN THE ARMY.

Cavalry Arm.

Second Lieut. Robert L. Collins, Second Cavalry, to be first lieutenant from October 2, 1906, vice Norvell, Eighth Cavalry, promoted.

Infantry Arm.

First Lieut. Lawrence D. Cabell, Fourteenth Infantry, to be captain from January 9, 1907, vice Spence, Eleventh Infantry, retired from active service.

Corps of Engineers.

Lieut. Col. Clinton B. Sears, Corps of Engineers, to be colonel from January 11, 1907, vice Livermore, retired from active service.

Maj. Curtis McD. Townsend, Corps of Engineers, to be lieutenant-colonel from January 11, 1907, vice Sears, promoted.

Capt. Charles Keller, Corps of Engineers, to be major from January 11, 1907, vice Townsend, promoted.

First Lieut. Albert E. Waldron, Corps of Engineers, to be captain from January 11, 1907, vice Keller, promoted.

Second Lieut. De Witt C. Jones, Corps of Engineers, to be first lieutenant from January 11, 1907, vice Waldron, promoted.

PROMOTIONS IN THE NAVY.

Civil Engineer Frank O. Maxson to be a civil engineer in the Navy with the rank of captain from the 26th day of November, 1906, vice Civil Engineer Mordecai T. Endicott, retired.

Civil Engineer Richard C. Hollyday to be a civil engineer in the Navy with the rank of commander from the 26th day of November, 1906, vice Civil Engineer Frank O. Maxson, promoted.

Civil Engineer Frank T. Chambers to be a civil engineer in the Navy with the rank of lieutenant-commander from the 26th day of November, 1906, vice Civil Engineer Richard C. Hollyday, promoted.

Boatswain John S. Croghan to be a chief boatswain in the Navy, to rank with, but after, ensign, from the 10th day of May, 1904, upon the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1899, as amended by the act of April 27, 1904.

Surg. John E. Page, who was promoted to fill a vacancy occurring on April 20, 1904, to take rank as a surgeon from March 3, 1904, in accordance with an opinion of the Attorney-General dated April 24, 1906.

Surg. John M. Moore, who was promoted to fill a vacancy occurring on January 1, 1905, to take rank as a surgeon from March 3, 1904, in accordance with an opinion of the Attorney-General dated April 24, 1906.

Naval Constructors Daniel C. Nutting, jr., and Holden A. Evans to be naval constructors in the Navy with the rank of lieutenant-commander from the 10th day of October, 1906, to correct the date from which they take rank as confirmed on December 11, 1906.

Second Lieut. Russell B. Putnam to be a first lieutenant in the Marine Corps from the 1st day of July, 1906, vice First Lieut. Arthur McAllister, deceased.

Second Lieut. Benjamin A. Lewis to be a first lieutenant in the Marine Corps from the 6th day of July, 1906, vice First Lieut. Thomas A. Mott, promoted.

Second Lieut. Arthur Stokes to be a first lieutenant in the Marine Corps from the 1st day of August, 1906, vice First Lieut. Fred A. Udell, who failed to qualify for promotion after being due therefor.

Second Lieut. Benjamin S. Berry to be a first lieutenant in the Marine Corps from the 15th day of August, 1906, to correct the date of his promotion as confirmed on December 19, 1906, which is made necessary by the failure of Second Lieut. Tillman Bunch to qualify for promotion after being due therefor.

Lieut. Commander Harold P. Norton to be a commander in the Navy from the 10th day of October, 1906, vice Commander John C. Fremont, promoted.

RECEIVER OF PUBLIC MONEYS.

Edward S. Wiggins, of Oklahoma, to be receiver of public moneys at Woodward, Okla., his term having expired. (Reappointment.)

MARSHAL.

Frank W. Wait, of Michigan, to be United States marshal for the western district of Michigan (a reappointment), his term expiring January 18, 1907.

POSTMASTERS.

ARIZONA.

Frederick W. Smith to be postmaster at Williams, in the county of Coconino and Territory of Arizona, in place of Frederick W. Smith. Incumbent's commission expires January 15, 1907.

ARKANSAS.

Carl O. Freeman to be postmaster at Berryville, in the county of Carroll and State of Arkansas. Office became Presidential January 1, 1907.

Alexander Jackson to be postmaster at Hoxie, in the county of Lawrence and State of Arkansas. Office became Presidential January 1, 1907.

Robert C. Vance to be postmaster at Benton, in the county of Saline and State of Arkansas, in place of Milton P. Westbrook, resigned.

CALIFORNIA.

Matthew W. Grace to be postmaster at Lindsay, in the county of Tulare and State of California. Office became Presidential January 1, 1907.

COLORADO.

George W. Shuler to be postmaster at Holyoke, in the county of Phillips and State of Colorado. Office became Presidential January 1, 1907.

CONNECTICUT.

H. Guy Linsley to be postmaster at Branford, in the county of New Haven and State of Connecticut, in place of H. Guy Linsley. Incumbent's commission expires February 4, 1907.

FLORIDA.

Mary B. Bishop to be postmaster at Eustis, in the county of Lake and State of Florida. Office became Presidential January 1, 1907.

Edwin N. Bradley to be postmaster at Green Cove Springs, in the county of Clay and State of Florida. Office became Presidential January 1, 1907.

George F. Fernald to be postmaster at Tarpon Springs, in the county of Hillsboro and State of Florida. Office became Presidential January 1, 1907.

George E. Koons to be postmaster at Palmetto, in the county of Manatee and State of Florida. Office became Presidential January 1, 1907.

Fred M. Taylor to be postmaster at Titusville, in the county of Brevard and State of Florida, in place of Fred M. Taylor. Incumbent's commission expired December 15, 1906.

IDAHO.

Millie R. Longfellow to be postmaster at Mountain Home, in the county of Elmore and State of Idaho, in place of William J. Turner, resigned.

ILLINOIS.

Charles D. Clark to be postmaster at Utica, in the county of La Salle and State of Illinois, in place of Charles D. Clark. Incumbent's commission expired December 10, 1906.

Theodore Disosway to be postmaster at Henry, in the county of Marshall and State of Illinois, in place of Charles A. Camp. Incumbent's commission expired December 10, 1906.

Ulysses E. Smith to be postmaster at Metropolis, in the county of Massac and State of Illinois, in place of Frederick R. Young, resigned.

Cyrus Thompson to be postmaster at Belleville, in the county of St. Clair and State of Illinois, in place of John E. Thomas. Incumbent's commission expired December 11, 1906.

Gaither C. Walser to be postmaster at West Salem, in the county of Edwards and State of Illinois. Office became Presidential January 1, 1907.

INDIANA.

L. A. Bachelor to be postmaster at Vanburen, in the county of Grant and State of Indiana, in place of Henry Whitecotton. Incumbent's commission expired January 7, 1907.

Arthur A. Holmes to be postmaster at Sullivan, in the county of Sullivan and State of Indiana, in place of William R. Nesbit. Incumbent's commission expired December 20, 1906.

W. F. Moore to be postmaster at West Baden, in the county of Orange and State of Indiana, in place of Elvet B. Rhodes. Incumbent's commission expired January 7, 1907.

IOWA.

Andrew H. Bjorgo to be postmaster at Kensett, in the county of Worth and State of Iowa, in place of Andrew H. Bjorgo. Incumbent's commission expired January 14, 1907.

Charles E. Carmody to be postmaster at Mapleton, in the county of Monona and State of Iowa, in place of Charles E. Carmody. Incumbent's commission expired December 10, 1906.

James H. Dunlap to be postmaster at Clarinda, in the county of Page and State of Iowa, in place of James H. Dunlap. Incumbent's commission expired December 9, 1906.

William H. McClure to be postmaster at Fontanelle, in the county of Adair and State of Iowa, in place of William H. McClure. Incumbent's commission expired January 7, 1907.

J. Ken Mathews to be postmaster at Mediapolis, in the county of Des Moines and State of Iowa, in place of J. Ken Mathews. Incumbent's commission expires January 29, 1907.

Charles J. Mills to be postmaster at Ossian, in the county of Winneshiek and State of Iowa. Office became Presidential January 1, 1907.

George A. Sedgwick to be postmaster at Hawarden, in the county of Sioux and State of Iowa, in place of Arthur S. Colby. Incumbent's commission expired January 7, 1907.

KANSAS.

Nelson M. Cowan to be postmaster at Kensington, in the county of Smith and State of Kansas. Office became Presidential January 1, 1907.

MAINE.

Frank L. Averill to be postmaster at Oldtown, in the county of Penobscot and State of Maine, in place of Frank L. Averill. Incumbent's commission expired December 9, 1906.

John M. Jewell to be postmaster at Clinton, in the county of Kennebec and State of Maine. Office became Presidential January 1, 1907.

John M. Oak to be postmaster at Bangor, in the county of Penobscot and State of Maine, in place of John M. Oak. Incumbent's commission expired January 7, 1907.

Frank R. Purinton to be postmaster at Fairfield, in the county of Somerset and State of Maine, in place of Frank B. Purinton. Incumbent's commission expired January 6, 1907.

MASSACHUSETTS.

Lorenzo B. Crockett to be postmaster at North Easton, in the county of Bristol and State of Massachusetts, in place of

Lorenzo B. Crockett. Incumbent's commission expires February 11, 1907.

David L. Small to be postmaster at Harwich, in the county of Barnstable and State of Massachusetts. Office became Presidential July 1, 1906.

MICHIGAN.

John Ames to be postmaster at Lake Linden, in the county of Houghton and State of Michigan, in place of John Ames. Incumbent's commission expires February 7, 1907.

Joshua Braun to be postmaster at Sebewaing, in the county of Huron and State of Michigan, in place of Joshua Braun. Incumbent's commission expires February 9, 1907.

Charles M. Falls to be postmaster at Wolverine, in the county of Cheboygan and State of Michigan. Office became Presidential January 1, 1907.

MINNESOTA.

Edward F. Gummer to be postmaster at Frazee, in the county of Becker and State of Minnesota, in place of Edward F. Gummer. Incumbent's commission expired December 10, 1906.

MISSISSIPPI.

Annie B. Wood to be postmaster at Louisville, in the county of Winston and State of Mississippi. Office became Presidential January 1, 1907.

MISSOURI.

John C. Lark to be postmaster at Steelville, in the county of Crawford and State of Missouri. Office became Presidential January 1, 1907.

NEBRASKA.

Frank Israel to be postmaster at Benkelman, in the county of Dundy and State of Nebraska. Office became Presidential January 1, 1907.

Henry E. Langevin to be postmaster at Curtis, in the county of Frontier and State of Nebraska. Office became Presidential January 1, 1907.

John H. McGuire to be postmaster at Benson, in the county of Douglas and State of Nebraska. Office became Presidential January 1, 1907.

William R. Pedley to be postmaster at Bertrand, in the county of Phelps and State of Nebraska. Office became Presidential January 1, 1907.

Frank R. Wild to be postmaster at De Witt, in the county of Saline and State of Nebraska. Office became Presidential January 1, 1907.

NEW JERSEY.

Caroline E. Condit to be postmaster at Millburn, in the county of Essex and State of New Jersey, in place of Caroline E. Condit. Incumbent's commission expires February 4, 1907.

Marcus Mitchell to be postmaster at East Orange, in the county of Essex and State of New Jersey, in place of Marcus Mitchell. Incumbent's commission expires February 4, 1907.

NEW MEXICO.

James A. Duff to be postmaster at Farmington, in the county of San Juan and Territory of New Mexico. Office became Presidential January 1, 1907.

NEW YORK.

Joseph A. Douglas to be postmaster at Babylon, in the county of Suffolk and State of New York, in place of Theodore C. Fletcher. Incumbent's commission expires February 4, 1907.

Frank W. Higgins to be postmaster at Wellsville, in the county of Allegany and State of New York, in place of Frank W. Higgins. Incumbent's commission expires February 12, 1907.

Charles C. Horton to be postmaster at Silver Creek, in the county of Chautauqua and State of New York, in place of Charles C. Horton. Incumbent's commission expires February 4, 1907.

Benjamin C. Moore to be postmaster at Pleasantville Station, in the county of Westchester and State of New York, in place of William T. Bailey. Incumbent's commission expired January 7, 1907.

Robert Murray to be postmaster at Warrensburg, in the county of Warren and State of New York, in place of Robert Murray. Incumbent's commission expired December 15, 1906.

James L. Taylor to be postmaster at Dobbs Ferry, in the county of Westchester and State of New York, in place of James L. Taylor. Incumbent's commission expires January 22, 1907.

Fred A. Upton to be postmaster at Charlotte, in the county of Monroe and State of New York, in place of John S. Burr, deceased.

NORTH CAROLINA.

Willis Perceval Edwards to be postmaster at Franklinton, in the county of Franklin and State of North Carolina. Office became Presidential January 1, 1906.

NORTH DAKOTA.

Otis Beardsley to be postmaster at Underwood, in the county of McLean and State of North Dakota. Office became Presidential October 1, 1906.

OHIO.

Joel P. De Wolf to be postmaster at Fostoria, in the county of Seneca and State of Ohio, in place of Joel P. De Wolf. Incumbent's commission expires January 19, 1907.

John M. Gallagher to be postmaster at Quaker City, in the county of Guernsey and State of Ohio, in place of John M. Gallagher. Incumbent's commission expired January 13, 1907.

Joseph E. Hall to be postmaster at Bucyrus, in the county of Crawford and State of Ohio, in place of Joseph E. Hall. Incumbent's commission expires March 3, 1907.

Jacob C. Irwin to be postmaster at Degraff, in the county of Logan and State of Ohio, in place of Jacob C. Irwin. Incumbent's commission expired December 20, 1906.

OKLAHOMA.

Elmer E. Brown to be postmaster at Oklahoma, in the county of Oklahoma and Territory of Oklahoma, in place of Elmer E. Brown. Incumbent's commission expires January 23, 1907.

OREGON.

Louis A. Githens to be postmaster at Athena, in the county of Umatilla and State of Oregon, in place of Louis A. Githens. Incumbent's commission expired January 7, 1907.

Fletcher E. Wilcox to be postmaster at Milton, in the county of Umatilla and State of Oregon, in place of Fletcher E. Wilcox. Incumbent's commission expired January 7, 1907.

PENNSYLVANIA.

John H. Bishop to be postmaster at Millersville, in the county of Lancaster and State of Pennsylvania, in place of John H. Bishop. Incumbent's commission expires January 26, 1907.

Joseph M. Brothers to be postmaster at Knox, in the county of Clarion and State of Pennsylvania, in place of Joseph M. Brothers. Incumbent's commission expires January 26, 1907.

Joseph J. Delp to be postmaster at Windgap, in the county of Northampton and State of Pennsylvania. Office became Presidential October 1, 1906.

Silas E. Dubbel to be postmaster at Waynesboro, in the county of Franklin and State of Pennsylvania, in place of Silas E. Dubbel. Incumbent's commission expires January 26, 1907.

Samuel H. Jackson to be postmaster at Claysville, in the county of Washington and State of Pennsylvania, in place of Samuel H. Jackson. Incumbent's commission expires January 26, 1907.

Herman H. North to be postmaster at Bradford, in the county of McKean and State of Pennsylvania, in place of Herman H. North. Incumbent's commission expires February 11, 1907.

Charles A. Passmore to be postmaster at Gap, in the county of Lancaster and State of Pennsylvania. Office became Presidential January 1, 1907.

William H. Pennell to be postmaster at Duncannon, in the county of Perry and State of Pennsylvania, in place of William H. Pennell. Incumbent's commission expires January 26, 1907.

Thomas K. Pullin to be postmaster at Confluence, in the county of Somerset and State of Pennsylvania, in place of Thomas K. Pullin. Incumbent's commission expires January 26, 1907.

Rosella M. Russell to be postmaster at Glassport, in the county of Allegheny and State of Pennsylvania, in place of Rosella M. Russell. Incumbent's commission expires January 26, 1907.

John H. Thomas to be postmaster at Carbondale, in the county of Lackawanna and State of Pennsylvania, in place of John H. Thomas. Incumbent's commission expires January 26, 1907.

Robert B. Thompson to be postmaster at Freeport, in the county of Armstrong and State of Pennsylvania, in place of John H. Holmes. Incumbent's commission expires January 26, 1907.

Sylvester B. Woollet to be postmaster at McConnellsburg, in the county of Fulton and State of Pennsylvania. Office became Presidential January 1, 1907.

TEXAS.

Frank P. Varley to be postmaster at Collinsville, in the county of Grayson and State of Texas. Office became Presidential January 1, 1907.

VERMONT.

John S. Sweeney to be postmaster at Island Pond, in the county of Essex and State of Vermont, in place of Ora M. Carpenter, resigned.

Frank T. Taylor to be postmaster at Hardwick, in the county of Caledonia and State of Vermont, in place of Frank T. Taylor. Incumbent's commission expires January 22, 1907.

James H. Viele to be postmaster at Essex Junction, in the

county of Chittenden and State of Vermont, in place of Warner B. Nichols. Incumbent's commission expired January 14, 1907.

VIRGINIA.

Willard B. Alfred to be postmaster at Clarksville, in the county of Mecklenburg and State of Virginia, in place of Willard B. Alfred. Incumbent's commission expires January 22, 1907.

Robert A. Anderson to be postmaster at Marion, in the county of Smyth and State of Virginia, in place of Robert A. Anderson. Incumbent's commission expires January 22, 1907.

Jacob H. Lindsey to be postmaster at Bridgewater, in the county of Rockingham and State of Virginia. Office became Presidential January 1, 1907.

WASHINGTON.

Ernest L. Darr to be postmaster at Sumner, in the county of Pierce and State of Washington. Office became Presidential January 1, 1907.

T. N. Henry to be postmaster at Prosser, in the county of Benton and State of Washington, in place of Nelson Rich, resigned.

WEST VIRGINIA.

Fannie E. Helmick to be postmaster at Thomas, in the county of Tucker and State of West Virginia, in place of Albert C. Helmick. Incumbent's commission expired December 15, 1906.

WISCONSIN.

Edward M. Crane to be postmaster at Oshkosh, in the county of Winnebago and State of Wisconsin, in place of Edward M. Crane. Incumbent's commission expired December 20, 1906.

Francis R. Dittmer to be postmaster at Seymour, in the county of Outagamie and State of Wisconsin, in place of Francis R. Dittmer. Incumbent's commission expires January 23, 1907.

Charles Kinnach to be postmaster at Cudahy, in the county of Milwaukee and State of Wisconsin, in place of Charles Kinnach. Incumbent's commission expires March 3, 1907.

William H. Landolt to be postmaster at Wauwatosa, in the county of Milwaukee and State of Wisconsin, in place of William H. Landolt. Incumbent's commission expires February 4, 1907.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 15, 1907.

SECRETARY OF THE TREASURY.

George B. Cortelyou, of New York, now Postmaster-General, to be Secretary of the Treasury, to take effect March 4, 1907.

SECRETARY OF THE INTERIOR.

James Rudolph Garfield, of Ohio, now Commissioner of Corporations in the Department of Commerce and Labor, to be Secretary of the Interior, to take effect March 4, 1907.

POSTMASTER-GENERAL.

George v. L. Meyer, of Massachusetts, now ambassador extraordinary and plenipotentiary to Russia, to be Postmaster-General, to take effect March 4, 1907.

COMMISSIONER OF CORPORATIONS.

Herbert Knox Smith, of Connecticut, now Deputy Commissioner of Corporations, to be Commissioner of Corporations in the Department of Commerce and Labor.

PENSION AGENT.

John R. King, of Maryland, to be pension agent at Washington, D. C., his term having expired.

COLLECTOR OF CUSTOMS.

Antoine J. Murat, of Florida, to be collector of customs for the district of Apalachicola, in the State of Florida.

PROMOTIONS IN THE NAVY.

Lieut. Commander George W. McElroy, an additional number in grade, to be a commander in the Navy from the 7th day of January, 1906.

Frank H. Stibbens, a citizen of California, to be an assistant surgeon in the Navy from the 4th day of January, 1907.

Midshipman Roy F. Smith, United States Navy, to be an assistant civil engineer in the Navy from the 3d day of January, 1907.

Gunner Wilhelm H. F. Schluter to be a chief gunner in the Navy from the 1st day of August, 1906, upon the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1899, as amended by the act of April 27, 1904.

MARSHAL.

Dewey C. Bailey, of Colorado, to be United States marshal for the district of Colorado.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 15, 1907.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

YAKIMA RESERVATION.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 190.

The Clerk read as follows:

Joint resolution (H. J. Res. 190) extending protection of second proviso of section 1 of the act of December 21, 1904, to certain entrymen.

Resolved, etc. That where entries were allowed by the local land office prior to December 21, 1904, of lands purchased from persons who were bona fide settlers on March 5, 1904, such entrymen shall be entitled to the protection extended by the second proviso of section 1 of the act of December 21, 1904, if they have continued to comply in good faith with the requirements of the settlement laws.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object. The bill itself contains no information of value to the Members of the House, and I suggest that the gentleman explain the provisions of the resolution.

Mr. JONES of Washington. Mr. Speaker, the situation is simply this: Under the act passed in December, 1904, opening the Yakima Indian Reservation and recognizing the claims of Indians to certain lands, there was a proviso that where on the 5th of March, 1904, settlers were occupying certain of these lands that the rights of those settlers should not be interfered with and that the moneys expended upon the reservation for irrigation purposes should be considered as full compensation for those lands—in other words, they extinguished the Indian title. But before the notice of the Land Office withdrawing these lands from settlement had reached the local office three or four settlers who resided on the land on the 5th of March, 1904, and protected by the act, relinquished that land and sold their rights to other persons, who in good faith went on the land and had their cases accepted by the local land office. This act simply extends to those individuals the same rights as were given to the others. It affects only three or four individuals. The bill has the unanimous recommendation of the Committee on Public Lands and of the Secretary of the Interior. It is simply to protect these three or four settlers who acted in perfect good faith.

The SPEAKER. Is there objection?

Mr. MANN. I should like to ask the gentleman a question. Were those people upon these lands there in the first instance rightfully?

Mr. JONES of Washington. They were.

Mr. MANN. How did they happen to be on lands belonging to the Indians?

Mr. JONES of Washington. There was much dispute between the Indians and the Government as to the right to those lands. As a matter of fact, the Government did not recognize the claims of the Indians, and held it out to the public as subject to entry ever since the reservation was established.

The SPEAKER. The Chair hears no objection.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

BRIDGE ACROSS CALUMET RIVER, INDIANA.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 23718) to authorize the Chicago, Lake Shore and South Bend Railway Company to construct a bridge across the Calumet River in the State of Indiana.

Be it enacted, etc. That the Chicago, Lake Shore and South Bend Railway Company, a corporation organized under the laws of the State of Indiana, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge, and approaches thereto, across the Calumet River in the southeast quarter of section 34, township 37 north, range 9 west, in Lake County, in the State of Indiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Is this a unanimous report, Mr. Speaker, from the committee?

Mr. CRUMPACKER. Yes; this bill is in the regular form, and unanimously reported from the Committee on Interstate and Foreign Commerce.

Mr. WILLIAMS. And is in the form required by law?

Mr. CRUMPACKER. It is in the form required by law.

Mr. WILLIAMS. Complying with the provisions required?

Mr. CRUMPACKER. It is in the usual stereotype form.

Mr. WILLIAMS. Then, I have no objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed, with amendments, bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 21574. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to bills of the following titles, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate:

S. 6833. An act granting an increase of pension to Bettie May Vose;

S. 5041. An act granting an increase of pension to George A. Tucker;

S. 4908. An act granting an increase of pension to William H. Kimball; and

S. 822. An act granting a pension to Michael V. Hennessy.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 976. An act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico—to the Committee on Pensions.

TEMPORARY LEAVES OF ABSENCE FOR HOMESTEAD SETTLERS.

Mr. GRONNA. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 81, which I send to the Clerk's desk.

The Clerk read as follows:

Joint resolution [S. R. 81] authorizing temporary leaves of absence for homestead settlers.

Resolved, etc., That homestead settlers upon the public domain, in those sections where climatic conditions and other causes of an unusual nature exist resulting in personal hardship, are hereby granted a leave of absence from their land for a period of three months from the date of the approval of this resolution. All homesteaders seriously affected by such conditions or causes shall make application, supported by affidavit, setting forth the facts justifying the leave of absence applied for to the register and receiver of the land office of the district in which their land is situated, and settlers granted such leave shall forfeit no rights by reason of the absence allowed hereunder: *Provided,* That the period of such actual absence shall not be deducted from the full time of residence required by law.

The amendments recommended by the committee were read, as follows:

Strike out the lines 4 and 5 and insert in lieu thereof "North Dakota, South Dakota, Wyoming, Minnesota, and Montana."

Strike out all after the word "resolution," in line 8, down to the word "Provided," in line 14.

Strike out the word "such," in line 14; and insert after the word "absence," in line 15, the words "under this resolution."

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, will the gentleman explain to the House the necessity for this legislation?

Mr. GRONNA. Mr. Speaker, we are experiencing an unusually severe winter in North Dakota. We have on an average 4 feet of snow on the level. This snow has drifted so that on nearly all the branch lines of our railroads the service has been practically suspended. Many of the new settlers who are living in the western part of the State are without fuel, and some of them without provisions, and this resolution simply gives them the privilege of moving from their lands, if they so desire, for a term of three months. The people living in the eastern part of our State will not take advantage of this law because they have good houses, but the relief under this resolution will be given to the new settlers, who are living in poor houses, shanties, you might say.

Mr. WILLIAMS. This is an inculcation of the lesson that people ought to live in warmer climates, is it not? It would be better for themselves and everybody else.

Mr. GRONNA. That is perhaps a matter of opinion, depend-

ing on the latitude in which a person happens to be born. [Laughter.]

Mr. WILLIAMS. I have no objection.

Mr. STERLING. Mr. Speaker, why not amend the resolution so that it would apply to those persons who have entered land there and whose time expires for moving onto the land during the winter. They can not get any fuel either. If they do not move onto the land within six months, then their entry expires. Why would it not be well to amend the resolution so as to apply to those people, as well as to the people who are now on the land?

Mr. REEDER. This would cover them.

Mr. GRONNA. I think the gentleman misunderstands the resolution. It will cover the cases of the people he speaks of.

Mr. STERLING. Does it apply to any particular part of those States?

Mr. GRONNA. No; it simply grants all a leave of absence outright for three months.

Mr. STERLING. The reason I ask is this: A number of people from my county have entered land in Butte County, S. Dak. They must be there in February, and what I wish to know is whether this extends their right to go there?

Mr. GRONNA. Yes; it does.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The amendments recommended by the committee were agreed to.

The joint resolution as amended was ordered to be read a third time, and was accordingly read the third time, and passed.

MERCHANT MARINE AND FISHERIES.

Mr. WATSON. Mr. Speaker, I ask unanimous consent that the Committee on the Merchant Marine and Fisheries may have authority to sit during the sessions of the House.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the Committee on the Merchant Marine and Fisheries may have authority to sit during the sessions of the House. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I object.

The SPEAKER. The gentleman from Mississippi objects.

DESERT-LAND ENTRIES.

Mr. SMITH of California. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 21567) extending the time for making final proof in desert-land entries.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the time for making final proof and payment for all lands located under the desert-land laws of the United States in township 13 south, ranges 12 and 13 east; sections 6, 7, 17, 18, 19, 20, 29, 30, 31, of township 13 south, range 14 east; township 14 south, ranges 12 and 13 east; township 15 south, range 12 east; sections 5, 6, and 7, township 15 south, range 13 east; township 16 south, range 12 east; township 17 south, ranges 12 and 13 east; sections 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19, 20, and 21 of township 17 south, range 14 east, San Bernardino base and meridian, in the county of San Diego, Cal., proof and payment of which has not been made, be, and the same is hereby, extended for the period of two years from the time proof and payment would become due under existing law.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object—

Mr. WILLIAMS. Mr. Speaker, I think this is rather important legislation, especially in view of the fact that the President has virtually recommended the repeal of these desert-land laws, and I shall, for the present at any rate, object.

Mr. SMITH of California. I wish you would allow me to make an explanation, reserving your right to object.

Mr. WILLIAMS. I understand it is a bill to extend the time for perfecting title under these desert-land laws. I think the laws ought to be repealed.

Mr. SMITH of California. But you probably would not undertake to destroy rights that have been acquired by these people while the law is in existence.

Mr. WILLIAMS. I would not, but I would not extend that right. I would not enlarge it.

Mr. SMITH of California. I think you would if you would listen to my explanation.

Mr. WILLIAMS. Certainly.

Mr. SMITH of California. This land is under a system of irrigation, the water being derived from the Colorado River, about which the President's message spoke. The head of the canal irrigating this land has been washed out. Under the law settlers of desert lands must make final proof within four years from entry. These people settled there about four years ago. Their time for final proof will expire this spring. It will be impossible for them to restore the canal system by that time.

The law requires that when they make final proof they must show that the land is actually under irrigation.

Mr. MANN. It is under water now.

Mr. SMITH of California. Not at all; this is land that is above the lake and which is affected only by the destruction of their canal. Unless we extend the time and preserve their rights, they are going to default in final proof through no fault of theirs, but through an extraordinary act of natural forces.

Mr. MANN. Is not this the case: That these people are now asking the Government of the United States to rebuild a large portion of the work there for the purpose of permitting them to irrigate their land; and if the Government does expend this money rebuilding these works, why should we then present them with the land?

Mr. SMITH of California. That would lead to a discussion of the President's message. My present impression is that the people of that valley are not at all interested in the enactment of the legislation proposed by the President.

Mr. MANN. If it should be determined by Congress to expend there from one million to forty million dollars on this place, there might be some equity in not presenting the land to them. If it should be determined by Congress not to expend the money, it is time to give these people relief afterwards.

Mr. SMITH of California. I only desire to have this question settled that these people may be relieved of the anxiety under which they now exist. The Government under this proposition will not reconstruct the head of this canal; that would be left to the settlers. This is only a question of giving them the time which they will actually require to reestablish by their own efforts and expenditures the head of that canal system.

Mr. MANN. The gentleman refers to the "head of the canal system." I am not familiar with it, but it all comes from the canal leading from the Colorado River?

Mr. SMITH of California. It is a branch of that canal, and when the Government work as proposed by the President is completed, if it should be, it would still be necessary for these people, by their own efforts and their own expense, to reestablish this distributing canal and lead the water to their lands.

Mr. MANN. They would receive the benefit of the money expended by the Government in establishing the large canal which leads from the Colorado River without expense to themselves.

Mr. SMITH of California. In common with others, I hope the gentleman from Illinois will not get off with the idea that the people of this valley are asking for the legislation proposed by the President.

Mr. MANN. I can not understand who is asking for it if the people of the valley are not asking for it. If the people of the valley there do not want it I do not know who does.

Mr. SMITH of California. I am as ignorant on that point as the gentleman is.

Mr. MANN. I hope the gentleman will wait, then, until we can find out.

Mr. SMITH of California. I was as much surprised at the arrival of the President's message as the gentleman from Illinois.

Mr. MANN. I do not see how the gentleman could be surprised. It has been announced in the newspapers frequently during the whole month and ever since this session of Congress commenced that the President was intending to do this identical thing.

Mr. SMITH of California. There have been various statements about that, but of course I am not the guide and director of the President. The relief sought in this bill is recommended by the Interior Department and has the unanimous recommendation of the Committee on Public Lands. As an act of justice to these people who have inchoate rights in the land, who are likely to lose through no fault of theirs, if we do not extend this time, I think this measure ought to pass.

Mr. GAINES of Tennessee. Will the gentleman yield to me?

Mr. SMITH of California. Certainly.

Mr. GAINES of Tennessee. Mr. Speaker, this is the unanimous report from the Committee on Public Lands, of which I am a member. The matter came up and the gentleman from California [Mr. SMITH] stated about this, in substance, that he wished to extend the privilege, as you may call it—not so much a right as a privilege—to perfect their rights to these lands which they have been prevented from doing by a flood of some kind, for which they were not at all responsible.

By reason of that visitation of God, you might say, they were not able to make out their land rights; hence I voted to extend the time of these people to make out their rights which they would have done but for this flood. Now, those are the merits of the case, as I understand it, and that is the reason why I voted to report the bill, and the bill was agreed to in committee.

Mr. WILLIAMS. Mr. Speaker, I would like to ask the gentleman a question. Would the passage of this bill make a precedent that would in any way commit the United States Government to this scheme of remedying the destruction that has been caused out there by a private corporation?

Mr. SMITH of California. Absolutely not.

Mr. WILLIAMS. Then, Mr. Speaker, in view of the information conveyed to me by the gentleman from Tennessee [Mr. GAINES], that this is a unanimous report of the committee after having gone into the matter carefully, I shall not now object. I do think, however, that the legislation is somewhat incautious.

Mr. MANN. Mr. Speaker, for the present I shall object.

The SPEAKER. The gentleman from Illinois objects.

FORTIFICATION APPROPRIATION BILL.

Mr. SMITH of Iowa. Mr. Speaker, I move the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the fortification appropriation bill.

The motion was agreed to; and accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the fortification appropriation bill, with Mr. MANN in the chair.

Mr. SMITH of Iowa. Mr. Chairman, I desire to state before the debate is resumed that, in my judgment, the time allowed for general debate will not all be consumed, so that the members of the committee may know that the reading under the five-minute rule will probably start before the expiration of the time fixed.

The CHAIRMAN. The Chair will state for the benefit of the committee that the gentleman from Iowa [Mr. SMITH] has remaining to his credit forty-nine minutes and the gentleman from New York [Mr. FITZGERALD] one hour and eleven minutes.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman from Iowa for information about when he will commence under the five-minute rule? I desire to ask some questions for information when we get to that.

Mr. SMITH of Iowa. I am not able to give a definite answer to that question, because certain gentlemen are to speak and I do not know how long they will consume. There are two hours left, and I do not think the time will be consumed.

Mr. CLARK of Missouri. How long does the gentleman expect the bill to run under the five-minute rule—just a mere guess?

Mr. SMITH of Iowa. I have no idea. We hope to finish it to-day.

Mr. FITZGERALD. It is very short.

Mr. SMITH of Iowa. Mr. Chairman, I yield such portion of my remaining time as he may desire to the gentleman from Illinois [Mr. GRAFF].

Mr. HEPBURN. Mr. Chairman, I hope the gentleman will reserve five minutes for me, if he can.

Mr. SMITH of Iowa. I will say to the gentleman from Iowa that through the courtesy of the gentleman from New York [Mr. FITZGERALD] I have been assured that we may have such time as we may desire on this side to debate the bill. The gentleman from Illinois [Mr. GRAFF] is a member of the committee, and I do not want to limit him as to his time, but I am quite sure that time will be provided for the gentleman from Iowa [Mr. HEPBURN] without doubt.

Mr. GRAFF. Mr. Chairman, I listened yesterday to a patriotic speech, filled with proper pride of the power and prestige of the Republic, and very properly indulged in by a gallant soldier, as was my colleague upon this committee, the gentleman from Ohio [Mr. KEIFER]. I think it is quite natural that a man who gave so much of the best part of his life to a soldier's career during that great civil war should naturally be enthusiastic and perhaps a little restive about speedy fortification of our country; but I believe that patriotism can be shown elsewhere than on the field of battle and that the best way in which patriotic qualities can be shown by a Member of Congress is by an economic and wise expenditure of the people's money. This committee can well afford to defend very confidently the course which it has pursued with regard to its appropriations for the coast defenses of the United States. The plan for our coast defense has been one of slow development, commencing away back in 1883 with the passage of an act creating the "Gun Foundry Board," which made a report in 1884, and which resulted in the act of March 3, 1885, creating the so-called "Endicott Board," whose plan, as reported by it January 23, 1886, has been the general basis for all of the subsequent appropriations that have been made by Congress for that purpose. The first appropriation was made, I think, in 1888, and appropriations have been continuously made from year to year ever since, I believe, without interruption. While it is true that the Taft Board, appointed by the President of the United States,

and which made its report last year, which report was transmitted by the President of the United States in a message on March 5, 1906, stated that the report of the Endicott Board and its findings were still valuable in the main as to their general recommendations, yet as to the construction of the emplacements and the batteries and the guns it would have been practically valueless if the country had proceeded without any variation in adopting those plans and carrying out those works and building them during the past twenty years, on account of the tremendous changes made in ordnance and fortifications since that time.

At the time of the report of the Endicott Board there was no such thing known as a "disappearing gun." Expensive turrets were made. At that time there was practically unknown any such thing as a long range gun. Smoothbore guns were then used. Rifle guns have been subsequently introduced. And if the Committee on Appropriations, through its subcommittee on fortifications and coast defense, had followed the recommendations of the Signal Corps, the Ordnance Board, and the artillery of the War Department and made appropriations in accordance with their recommendations year by year for the full amount, it would have resulted in our having fortifications behind the times and utterly out of line with the possibilities of subsequent development of military science. I say that the appropriations made by the committee and afterwards ratified by the act of both Houses of Congress have the commendation of the experience of the last twenty years. Nor have we been slow. We have fully kept up with the needs of the times. We have to-day completed two-thirds of the entire plans of the Endicott Board and the Taft Board combined, which is considered to be fully adequate for the full protection of the entire coast line of the United States on the Atlantic and Pacific without the aid of the Navy, for these coast defenses are recommended with the idea that the Navy itself shall be engaged in offensive operations and that these coast defenses shall be adequate for the defense of our coasts without the cooperation of the Navy. It is now estimated that \$99,000,000, in round numbers, is sufficient to complete all of the projects recommended by the Endicott Board in a modern method in accordance with the recommendations of the best military scientific thought on the subject. Now, then, when the Endicott Board made their recommendations smokeless powder was not in existence. Strange as it may seem, that board did not include in their estimate the cost of ammunition or of reserve ammunition or the cost of sites or the maintenance and construction of barracks for the Coast Artillery, and of this \$99,000,000 estimate, which is now considered sufficient to carry out the recommendations of the old Endicott Board, the cost of ammunition and the cost of these other articles, which were not included by the Endicott Board, are not included in the estimate of the \$99,000,000.

When the Taft Board reported last year they recommended the abandonment of some four or five different points which had been included in the Endicott plan, which would make a deduction of something like \$2,600,000 from the estimate, but they added some six places which were not included in the Endicott plans, which would add some \$22,000,000 to the \$99,000,000 to enable us to carry out all the plans recommended by the Endicott Board and the Taft Board combined. Of the \$99,000,000 total necessary to carry out fully the plans of the Endicott Board, we have already appropriated some \$64,000,000, showing a two-thirds completion, as I stated, for continental United States. The estimates of the head of the Coast Artillery is that when the plans of the Taft Board are completed and our fortifications in the United States are finished it will make necessary a Coast Artillery of 47,000 men. At present we have in continental United States a Coast Artillery of 10,000 men, 4,000 short of authorization on account of its being impossible—

Mr. HULL. Fourteen thousand authorized and 3,000 short; there are 11,000 in now.

Mr. GRAFF. Three thousand two hundred short, I will state, is the testimony exactly, making 11,000 men whom we actually have. This is due to the small inducement at the pay given offered to young men to enlist in these prosperous times.

Mr. HULL. That is about right.

Mr. GRAFF. Therefore we have not now near enough men to properly man the guns which are already in place and ready for operations, and that makes it necessary for us at present to have care takers for the guns at various points on the different coasts of the United States. That is not suggested as an argument why we should not go on toward the completion of this entire scheme, but it does furnish some reason why we should not at least move any faster than other committees of Congress show a willingness to provide the supply of men to adequately operate these fortifications which we are now building. I think I may say safely that there was something said either in the hearings

this year or last year to the effect that the fortifications as they now stand without any further work upon them are without comparison in any other country on the globe, so that the talk about the flag being in danger or continental United States having any particular cause to fear by reason of our coast defenses does not seem to have any great foundation; but I think that it is a part of the business of the Committee on Appropriations, in making appropriations for fortifications, as everything else, to consider its fair proportion of the total expenditures of the Government which ought to be devoted to that particular purpose, and I think that when this Congress adjourns and has finished its work it will never be charged that we have not devoted an adequate amount of the people's money toward the preparation for war and defense in war.

Mr. GRAHAM. Will the gentleman permit me to ask him a question?

Mr. GRAFF. Yes.

Mr. GRAHAM. Does this bill provide for the increase of men necessary with which to man the fortifications?

Mr. GRAFF. That is not a part of our duty.

Mr. GRAHAM. I was afraid it was not. Under what bill will that come up?

Mr. GRAFF. That goes to the Committee on Military Affairs.

Mr. GRAHAM. I think that is a very important question and very necessary.

Mr. HULL. If the gentleman from Illinois [Mr. GRAFF] will permit me, what was the question asked by the gentleman from Pennsylvania [Mr. GRAHAM]?

Mr. GRAHAM. The procuring of men with which to man the guns in these fortifications.

Mr. HULL. If the gentleman will yield just a minute, I will say that the Committee on Military Affairs has practically completed a bill increasing the artillery some 5,000 men only, but making the increase in pay of certain officers and noncommissioned officers and electricians that they will enlist up to that point now authorized by law.

Mr. GRAHAM. I am glad to know it. I think it very necessary.

Mr. GRAFF. This bill appropriates in all \$5,411,883, which is in excess of the appropriation made last year for the same purpose in the sum of \$357,890. And if the general average of the appropriation bill is made, of all of them which have been made since 1888, it will be found that this is an average amount and not below the average. In other words, we are not lessening our speed for the completion of these fortifications. The per cent is 3 per cent of the total amount necessary for carrying out the scheme of the Endicott Board. Of this sum, \$3,800,000, in round numbers, is devoted to the projects in the coast defense of continental United States, and \$1,592,940, or about \$1,600,000, is devoted to our insular possessions. Now, then, the gentleman from Ohio [Mr. KEIFER], my colleague, stated that we were "cheeseparing" in our appropriations for these great purposes. While he did not devote a great deal of time in attacking the economical mood of the committee with reference to the general appropriation for fortifications, he laid particular stress upon two subjects, and one of them was our failure to appropriate some \$2,600,000 for the purpose of building an artificial island at the mouth of the Chesapeake Bay, between Fort Henry and Fort Charles. The other was his criticism for our alleged "homeopathic" appropriations for our insular possessions. There never has been any serious recommendations for a fortification at the mouth of Chesapeake Bay except within the period of a year. The reference by the Endicott Board in 1886 to the Chesapeake Bay was a matter of suggestion. It did say, by way of suggestion, that it might be well to establish floating batteries at certain points—at a point in Long Island Sound and at two or three other points—and mentions that at the mouth of Chesapeake Bay, all in a single line, and—if there is any significance in that—Chesapeake Bay being the last point mentioned.

The committee has never had an opportunity to receive any light upon this subject except that which has come to us in the last year. And there appeared before us the officers of the War Department and the Secretary of War himself, advocating the building of this island. There does not appear in the hearings any adequate foundation for the result of their estimate of \$2,600,000. It seems to me that in a scheme at one point, which alone is to cost some \$6,000,000, it is not unwise for Congress to demand a little time in order that the merits of the proposition shall be at least gravely considered, that we shall at least know two things, approximately the real cost of the project, and, secondly, the force of the demand for its necessity. It is significant that throughout Secretary Taft's testimony in favor of this island at Chesapeake Bay he puts the greatest burden of responsibility for his recommendation upon the Navy, and does not

assume himself to have technical knowledge sufficient to weigh the real merits of the proposition. In addition to that, he does make it clear that that island is not needed there for the proper protection of the cities within Chesapeake Bay and on the rivers which are tributary thereto. On the contrary, he states that these cities are already amply protected, and that there is no danger of any fleet entering Chesapeake Bay at the present time and successfully attacking any of the cities which surround the borders of the bay or on the rivers which run into the bay. And he himself says that the reason why, and the only reason why, the naval officers desire to have this island built there is because they fear that a hostile fleet would find in Chesapeake Bay a place in which to operate as a base of its operations.

It seems to me, therefore, that the committee were wise at least in postponing action upon this comparatively new proposition of large dimensions until we can get further details both in regard to its naval necessity and in regard to its probable cost.

The next proposition upon which the gentleman from Ohio [Mr. KEIFER] takes issue with the committee is the amount of our appropriations for our insular possessions. We have been a great deal more liberal and we have been a great deal more rapid in our appropriations for our insular possessions than we have for continental United States.

The total recommendation of the Taft Board for all our insular possessions, including fortifications at San Juan, Porto Rico, Guantanamo, Hawaiian Islands, Guam, and the Philippine Islands, is \$22,716,360. Of that amount we have appropriated thus far, including last year, \$3,202,920. If the amount of the appropriations recommended in this bill is accepted by this House and the Senate, and signed by the President, we shall have a total appropriation for the Philippine possessions of \$4,795,860, or over 20 per cent of the total amount recommended by the Taft Board for the entire insular possessions.

But I apprehend that the interest of the House is chiefly in the fortifications of the Hawaiian Islands and in the Philippine Islands. These are the two points to which the gentleman from Ohio [Mr. KEIFER] chiefly gave his attention in his speech. Now, then, the total appropriation as recommended by the Taft Board for their entire scheme for the fortification of the Hawaiian and Philippine islands, is \$11,671,262. And therefore we recommend at this time 14 per cent of the total amount necessary for the Hawaiian and Philippine islands. We recommend this year, for instance, in one item, \$600,000 for seacoast batteries in the Hawaiian and Philippine islands.

Mr. STERLING. Will the gentleman yield to a question?

Mr. GRAFF. Certainly.

Mr. STERLING. Do I understand that the Department asked for this appropriation of \$14,000,000 at this time?

Mr. GRAFF. Oh, no.

Mr. HULL. That is the total.

Mr. GRAFF. I was only speaking of the total amount necessary to complete the plans, which is \$11,000,000.

Mr. STERLING. And this is the amount to be used for this year?

Mr. GRAFF. This year we appropriate the amount to be used this year.

I have here an estimate for 1908 for which we are now appropriating. The estimates for this year, sent in by the War Department, are \$5,074,500. We recommend \$1,592,940 for insular possessions.

There is another thing to which I might advert, and that is that, experience has shown us in the hearings that large available balances, and not always allotted, have been disclosed in almost every item where there are recommendations; showing that of the appropriations which are actually made—less, of course, always than are recommended—the War Department hardly keeps up in its work with the actual amount that is appropriated. That seems to me a very significant fact.

Now, then, with reference to the actual experience of the House. There are those in this House who do not believe in fortifications for the Philippines. There are those in this House who, like my friend from Ohio [Mr. KEIFER], believe in carrying out at once and as rapidly as recommended by the Department full appropriations for the Philippines. Last year we had an item in our appropriation bill exactly the same as we have to-day—\$600,000 for coast defense in the Hawaiian and Philippine Islands, worded exactly as it was worded then. A very sharp conflict took place in this House, and a considerable difference of opinion was manifested even on this side of this Chamber as to the wisdom of fortifications, especially at Subig Bay. It finally passed the House and went to another body, and there it was reduced to \$260,000; and that sum was appropriated to the Hawaiian Islands alone. The Philippines were left out in the other body. At all events, it was reduced

to \$260,000. There is some conflict as to whether the Philippines went out in the legislation or not; but, at all events, it was allotted to the Hawaiian Islands, and that was the result of the effort and initiative started by this appropriation committee to get through the selfsame appropriation which is made at this time.

Mr. HILL of Connecticut. Has that been expended?

Mr. GRAFF. That has not yet been expended. I am glad the gentleman asked me that question. It must not be forgotten that while Army and Navy officers are entitled to the greatest respect for their judgment upon all technical questions pertaining to their profession, yet when it comes down to the question of general business judgment it perhaps would be just as well to leave the decision of those questions where the Constitution placed it—upon the House of Representatives.

Now, then, in regard to the fortification of the Philippine Islands. My distinguished friend from Ohio [Mr. KEIFER] spoke with pride of the fact that we now vied with England in having the sun never set upon our domain. I take just as much pride in that fact as he does; but I take more pride in the hope and belief that our beneficent influence will stretch beyond our territory. [Applause.] But let us see; some fear that we may be attacked in war by possibly Japan, and that the forces of that country will at once wrest the Philippine Islands from us. The Philippine group consists of thousands of islands, and many of them of considerable size. The island of Luzon, I believe, is somewhat longer than Cuba; at least 500 or 600 miles long. It is not even proposed that there shall be complete fortifications and defense of the single island of Luzon, but plans only are made for Subig Bay and the protection of the city of Manila by defending the harbor of Manila, principally by placing fortifications upon the island of Corregidor. Now, does anyone believe that the defense of the city of Manila is going to furnish us with an adequate protection against the invasion of the Philippine group? It takes three days for Japan to reach the Philippine group with her soldiers and land them, as I am informed, chiefly with lighters, being able to land on almost any coast; while it takes twenty-five days for us to reach the Philippine Islands with our soldiers from the California coast. Does anyone suppose for a minute that we can expect to rely principally upon fortifications in the Philippine Islands for the defense of that territory? Ah, no. We can not rest upon that sort of a defense.

Mr. GROSVENOR. Will the gentleman allow me to ask him a question?

Mr. GRAFF. Yes.

Mr. GROSVENOR. Suppose it became necessary to transport 5,000 soldiers from any part of the United States in time of war to the Philippine Islands, what would you carry them on?

Mr. GRAFF. I would carry them on Government transports.

Mr. GROSVENOR. How many Government transports have we?

Mr. GRAFF. I could not say. I know we have some.

Mr. GROSVENOR. Is it a fact that when we undertook to send 2,500 troops down to Cuba we had to employ foreign ships to carry them?

Mr. GRAFF. That does not exactly come within the scope of my argument. We are not always discussing the merchant marine.

Mr. GROSVENOR. Inasmuch as the gentleman was talking about the defense of the Philippine Islands, it occurred to me that we might take into consideration the fact that in time of war with any great European power that would command neutrality we would have to go afoot in order to get there. [Laughter.]

Mr. GRAFF. I believe in a naval base in the Philippine Islands, but I believe that the great source of our protection in the Philippine Islands will be the knowledge of any nation which attacks us of the ultimate consequences to that nation after it takes possession. Does anyone think for a minute that Japan would suppose that because the Philippine Islands are adjacent and even unfortified that she might safely enter upon that group of islands and take possession of them without taking into calculation the war strength of the great Republic and the ultimate consequences that would be visited upon her? Why, certainly not. We want a naval base either at Subic Bay or at Cavite. I am willing to leave that to the technical information of those who have charge of that and are skilled in that profession, and I believe that in making an appropriation of \$1,000,000 in advance of the decision of the question of the location of that naval base we are making an ample appropriation at this time. It is the largest sum which has ever been recommended by any committee for the defense of insular possessions, notwithstanding we have been making appropriations for our insular pos-

sessions since 1905. The largest appropriation next to this one was passed in 1905, which was for the sum of \$1,318,920. The War Department have already commenced the work of constructing the emplacements on Corregidor Island and at Subic Bay, and we have proceeded as fast as good judgment would dictate. We must all remember that these appropriations are peculiar in the fact that they remain available in the Treasury, no matter how long they continue unexpended, and the War Department understand this, and in the commendable enthusiasm for pushing energetically these schemes which have been outlined there is no doubt that they want to pile up as much of a surplus as possible, and if Congress should see fit to segregate sufficient money to complete these schemes, no matter if it took a decade to carry out the construction, the War Department would consider it a good thing, because it is not the duty of that Department to give concern to the question of national economics.

We must remember that as we appropriate more liberally than wisdom teaches, we thereby lessen the opportunity for devoting public money to other needed and commendable purposes. So we have been moved by caution and, I trust, by patriotism, and our hearings have been extended. The officers have been summoned before our committee, and for the total amount appropriated we have gone very fully in detail as to the work and the manner of performing it, the need of its immediate construction, the immediate necessity for the money. These things have all been inquired into, as they always are.

I have no fear but that we will complete the fortifications in continental United States away ahead of any probable war, and if within a few months we should be threatened, the world would find the United States the best fortified country on the globe. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. TOWNSEND having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. LATTA, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill of the following title:

On January 14, 1907:

H. R. 21951. An act to authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across the Tombigbee River in the State of Alabama.

FORTIFICATION APPROPRIATION BILL.

The committee resumed its session.

Mr. SMITH of Iowa. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has five minutes.

Mr. SMITH of Iowa. I yield one minute to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. Mr. Chairman, I simply desire to have read in my time the paper which I send to the Clerk's desk.

The Clerk read as follows:

Memorial unanimously adopted at large mass meeting of citizens in Cooper Union, New York City, January 3, 1907.

To the Senate and House of Representatives in Congress assembled:

Your memorialists respectfully represent that:

This mass meeting of citizens convened at Cooper Union, New York City, January 3, 1907, in the annual celebration of the emancipation proclamation, believes with the author of that proclamation that mastership and servitude should be supplanted by true manhood, regardless of race or color.

We therefore call upon Congress and upon all Americans to accord to the colored people of this country not only the rights, but the respect due to worthy American citizens to the end that United States soldiers shall neither be insulted nor discriminated against because of their color, and that, because of color, the right to vote shall not in practice be anywhere denied.

We appeal to the American people for justice and fair play and for protection from the ignorant and malicious writers and speakers who stimulate race hatred or seek to force the colored people into a peasantry of disfranchised servitors.

We further respectfully memorialize the Congress to cause an impartial tribunal to hear and determine the assertions in the President's message, based upon ex parte proceedings, made against soldiers of the Twenty-fifth Infantry, who thereupon have been subjected to a life-long penalty.

And your memorialists will ever pray.

Attested by the officers of the meeting.

Rev. CHARLES S. MORRIS,
Chairman.
H. G. MILLER, Secretary.

Mr. BENNET's time expired during the reading of the paper, and, by unanimous consent, he was given leave to have the balance printed in the RECORD.

Mr. FITZGERALD. Mr. Chairman, I now yield fifteen minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, on yesterday a subject was touched upon that I think is of very great impor-

tance. It was alluded to by the distinguished gentleman from Iowa [Mr. HEPBURN] in a colloquial debate between the gentleman from Iowa and his colleague [Mr. SMITH]. Later I made some inquiries of the gentleman from New York [Mr. FITZGERALD] on the same subject; that is, the subject of the powder monopoly and the patents that have been issued, and the good policy or impolicy of permitting officers of the Army or Navy to procure patents, etc., to make Army supplies when the discovery is made while acting for and by order of the Government.

The gentleman from Iowa [Mr. HEPBURN], in his usual trenchant way, used this language—it will be found on page 1108 of the RECORD:

Mr. HEPBURN. Then I would ask the gentleman if it is in the contemplation of the Department to establish a factory for smokeless powder?

Right there I will state that the smokeless-powder process was patented by an officer of the Navy, Professor Monroe, while in his line of duty, and for that reason he turned the patent over to the Government of the United States. Now, it seems that some powder monopoly has got hold of that patent and that monopoly is defying the Government of the United States and putting up the price of powder, and we are trying to extricate the Government by making appropriations to build a smokeless-powder factory. I shall refer to that a moment later. The gentleman from Iowa [Mr. HEPBURN] goes on to say:

And in that connection I want to call the gentleman's attention to a document that was probably laid upon his desk—it was upon mine—treating of the subject of smokeless powder, and of the extravagant expenditures that the Government have been compelled to make because of certain combinations of the manufacturers of smokeless powder. In that document it was stated that the Government had sent two of its officers to one of the arsenals, or to some Government work, for the purpose of studying the manufacture of smokeless powder.

Now, here is an important statement:

That they, in the time that belonged to the Government, with the means that the Government furnished, with the aid of other employees of the Government, with its machinery and its material for experiment, discovered certain methods for the manufacture of smokeless powder; that they afterwards secured patents for their discoveries, discoveries made by them while in the employ of the Government, mind you, aided by Government facilities; that they sold these patents to certain people now engaged in the manufacture of smokeless powder, who have entered into this combination and are compelling the Government, through the use of these patents, to pay something more than a hundred per cent above what is stated in this paper to be a fair compensation. I should like to ask the gentleman if the committee have considered that subject, if they have formed opinions with regard to the validity of those patents, and the right of anybody to exclude the Government from the use of its discoveries, made through its agencies; and if these men, now engaged in this combination, are thus using these patents that I should think might, in morals at least, be said to belong to the Government of the United States?

Mr. Chairman, that is a very clear statement of the subject, and a subject that, I regret, has not been more thoroughly discussed by Members. It is a matter that came to the attention of the Government of the United States in 1898, and was discussed by the gentleman from Iowa [Mr. HEPBURN], the gentleman from Missouri [Mr. CLARK], and myself, as the RECORD of April 30, 1898, shows. Now the question comes up—and I allude to the fact that Attorney-General Cushing years ago passed upon it—has the Government of the United States, or rather should the Government of the United States educate a young man in the Army or in the Navy to be a soldier or a sailor, and should that young man take the Government's time while he is in the employment of the Government, take the money of the Government, take the machinery of the Government, take everything that the Government can give him, and after discovering a military device, patent it and put it in his own pocket or go outside and sell it to a private concern? Should he go and sell it to a foreign government? Later on that same patent, as suggested by the gentleman from Iowa, of smokeless powder has come back into the hands of a powder monopoly that threatens the powder business of the country as well as the revenues of the Treasury. That question, Mr. Chairman, was passed upon, as I say, a number of years ago by Attorney-General Cushing, and he said that the patent belongs to the Government of the United States in the case I have stated.

Now, I find that the Senate Report No. 1453, pages 49-50, Fifty-fourth Congress, which I have before me, says: "Charles E. Munroe, chemist, torpedo station, smokeless powder, applications 426445 and 426446."

Professor Munroe secured a patent, about which this report says:

Right to manufacture under these patents granted August 14, 1891.

I turn now to the speech which I delivered in 1898, where I find that I quote Secretary Herbert and also Senator PERKINS, who was a member of the Senate committee that compiled the report which I have here on this subject. Senator PERKINS, in the course of his remarks in this committee, stated as follows:

In this connection I wish to state that Professor Munroe, now connected with the chair of chemistry in Columbia College, discovered

smokeless powder when in the Naval Academy filling the chair of chemistry there, and he felt that the invention belonged to the Government, and it was placed by him at the disposal of the Government.

I find on the next page that I inserted in that speech of mine parts of this official Senate report showing a number of patents have been issued to Army and Navy officers for discoveries made in the line of duty except, I believe, three.

Secretary Herbert inserted there a list of these patents in the hearings, and then said:

With the exceptions of Nos. 1, 4, and 3, all the devices were designed by officers in the line of duty and, beyond the mere expense of taking out patents, do not cost the Government anything.

Smokeless powder, says Senator PERKINS, was discovered by Professor Munroe when working in the line of his duty.

Mr. Chairman, I intended yesterday to simply drop into the RECORD the syllabus of two cases that I now invite to the attention of the committee. One is the Solomon case—*Solomon v. United States*, 137 United States, page 342—and the other is *Gill v. United States*, reported in 160 United States, page 435. The Supreme Court in discussing this question in the *Gill* case says:

There is no doubt whatever of the proposition laid down in *Solomon's* case that the mere fact that a person is in the employ of the Government does not preclude him from making improvements in the machines with which he is connected and obtaining patents therefor as his individual property, and that in such case the Government would have no more right to seize upon and appropriate such property than any other proprietor would have. On the other hand, it is equally clear that if the patentee be employed to invent or devise such improvements his patents obtained therefor belong to his employer, since in making such improvements he is merely doing what he was hired to do. Indeed, the *Solomon's* case might have been decided wholly upon that ground, irrespective of the question of estoppel, since the finding was that Clark had been assigned the duty of devising a stamp, and it was understood by everybody that the scheme would proceed upon the assumption that the best stamp which he could devise would be adopted and made a part of the revised scheme. In these consultations it was understood that he was acting in his official capacity as Chief of the Bureau of Engraving and Printing, but it was not understood or intimated that the stamp he was to devise would be patented or become his personal property. In fact, he was employed and paid to do the very thing which he did, viz., to devise an improved stamp; and, having been employed for that purpose, the fruits of his inventive skill belonged as much to his employer as would the fruits of his mechanical skill. So, if the inventions of a patentee be made in the course of his employment, and he knowingly assents to the use of such inventions by his employer, he can not claim compensation therefor, especially if his experiments have been conducted or his machines have been made at the expense of such employer.

I will now read a part of the syllabus in the *Solomon's* case:

When a person in the employ of the United States makes an invention of value and takes out letters patent for it, the Government, if it makes use of the invention without the consent of the patentee, becomes thereby liable to pay the patentee therefor.

If a person in the employ and pay of another, or of the United States, is directed to devise or perfect an instrument or means for accomplishing a prescribed result and he obeys and succeeds and takes out letters patent for his invention or discovery, he can not, after successfully accomplishing the work for which he was employed, plead title thereto against his employer.

Mr. Chairman, let us carry those principles a little further, the general principle that I have discussed. Suppose the Government of the United States would equip a ship and place upon it our Navy officials and direct them to go out into the waters and discover a new country, as Columbus was directed to do. Would the captain of that ship take possession of that country in the name of the captain of the ship, or would the captain of the ship take possession of it in the name of the United States? In the name of the latter, of course. So, Mr. Chairman, are these men educated to do exactly what they are doing, to wit, to devote their lives to their country in the military and naval service. Suppose the teachers at West Point did not strive to give the pupils in those schools the full benefit of their knowledge and intelligence as teachers. Suppose they used, say, 75 per cent of their knowledge and ability to teach—brought only a part of their knowledge into action. Would it for a moment be contended that they were doing their full duty? Do we not employ those teachers and do we not employ the Army and Navy officers to do their full duty, and do they not agree when they enter the Army and Navy service to devote their time and attention and military skill and genius to carry on the Government of the United States from a military and naval standpoint to the fullest extent of their abilities? They do. I want to encourage inventions by Army and Navy men, but we should see to it that they do not put us in an embarrassing status at home and abroad by reason of their inventions.

Now, Mr. Chairman, it is a bad policy to let this practice go on without a statute regulating it, and Secretary Herbert recommended that a statute be enacted to do so. We see what trouble we have gotten into. Here is Professor Munroe, who has invented smokeless powder, and I do not know of any other patent on the subject. Mr. Chairman, I stop here to ask the gentleman from Iowa [Mr. SMITH] how many patents there are of smokeless powder?

Mr. SMITH of Iowa. I only personally know of two. I do not say, however, there are not others.

Mr. GAINES of Tennessee. Who are those patentees?

Mr. SMITH of Iowa. I can not now give them from memory.

Mr. GAINES of Tennessee. The gentleman had some patent papers in his hand yesterday and I thought possibly he could recollect.

Mr. SMITH of Iowa. I had two certified copies here yesterday of patents upon smokeless powder or the equivalent of it.

Mr. GAINES of Tennessee. Can the gentleman put those in the RECORD, so we can all see them?

Mr. SMITH of Iowa. I think I can.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. I regret I can not go a little further in this matter. It is certainly something over which Congress should take charge. We are here giving rights or allowing practices that may sometime come back to plague us—evils, indeed, we ought to regulate.

Mr. SMITH of Iowa. Mr. Chairman, I do not see the gentleman from New York present upon the floor, but I am authorized to state that such portion of time as may be required by myself to close this general debate in addition to my time is yielded by him. I do not wish to weary the committee with any prolonged discussion of this bill, but there are a few matters that have not yet been made quite so plain, it seems to me, as they might be. I may say in response to the gentleman from Tennessee that I fully agree with him that if an officer of the Army or Navy makes a discovery in the time of the United States and by use of material of the United States, and the United States wants to use any invention the product of those efforts on his part, the United States ought to have the right to do so without the payment of any royalty whatever. I want to say further that, as I understand it, there is no claim by any human being that the United States has not the right to make smokeless powder for its own use.

Mr. GAINES of Tennessee. If the gentleman will pardon me, I understood the gentleman yesterday to say in reply to the gentleman from Iowa that the Government was given the right, and I inferred from that we had to pay for the use of the right.

Mr. SMITH of Iowa. Oh, the gentleman misunderstood me. The language of the license was in substance that the Navy Department might at its then existing powder factory or at any factories that might hereafter be established by it produce this powder without the payment of royalty. If there be any criticism upon the license at all, it is because it leaves it doubtful as to the right of the Government to produce this powder without royalty for the Army.

Mr. GAINES of Tennessee. What makes it doubtful?

Mr. SMITH of Iowa. Because the license only runs upon its face to the Navy Department to manufacture, but I am of the impression the Government might buy from the Navy Department for the War Department unlimited quantities of this powder without the payment of royalty. Now, the Government is about to determine whether it is paying excessive prices for its powder or not, and if it is, we will go ahead, as I understand it, and make our own powder, and I do not know anybody who is claiming that we have not that right.

Mr. GAINES of Tennessee. Will the gentleman tell the committee, please, whether or not the Du Pont Powder Company is using the Munroe smokeless powder patent?

Mr. SMITH of Iowa. I think it is making a powder which, perhaps, is not identical with that, but involves the use of the patent.

Mr. GAINES of Tennessee. Do not they claim to own the patent?

Mr. SMITH of Iowa. I think so; but nobody, at present at least, denies the right of the Government, so far as I am advised, to produce this powder for Government use without the payment of royalty. What may be the contention of the company, I know not, but we are going ahead in our powder factory to make the powder, and I do not think there is any contention that there is any right to claim a royalty from the Government.

Mr. SMITH of Kentucky. If the gentleman's statement be correct, and I do not doubt it is, then it is inconsequential as to any contention about royalty.

Mr. SMITH of Iowa. I think so; until at least some one claims a royalty.

Mr. SMITH of Kentucky. If the Government has the power and right, as I think it has, to make this powder these people could not get any royalty.

Mr. GAINES of Tennessee. By virtue of what right; the gentleman is a good lawyer and could tell us?

Mr. SMITH of Iowa. I claim the right by the Government to produce this powder without payment of royalty; first, upon the

grounds stated by the gentleman himself, and also upon the ground the Government is licensed to manufacture this powder without the payment of any royalty.

Mr. GAINES of Tennessee. Just a proposition of law. If the Government owns this patent, and if it does not own it it should own it, and a monopoly gets hold of it, the Government should take it away from any monopoly.

Mr. SMITH of Iowa. I do not know that there is any connection between the ownership of a license to manufacture without royalty and the ownership of a patent. They are two separate and distinct things. The gentleman contends the Government owns the patent, because the Government agents made the discovery by the use of its machinery and appliances, and I have not disputed it, but even if he was not correct in that the Government has the license to manufacture.

Mr. GAINES of Tennessee. Tell us what the Government is doing to determine whether or not it has the right to make this powder?

Mr. SMITH of Iowa. As long as nobody is claiming any royalty and we are going ahead and manufacturing the powder, why should the Government insist on having a lawsuit with somebody to see whether they are entitled to a royalty or not?

Mr. GAINES of Tennessee. The gentleman used the word "determine" just now with reference to what the Government is doing—

Mr. SMITH of Iowa. We are going to determine whether we can manufacture this powder cheaper than the Du Pont people.

Mr. GAINES of Tennessee. I think the proof is that we can, and I hope the Government will.

Mr. SMITH of Iowa. Now, Mr. Chairman, that is all I want to say about the powder question. I want now to call attention to the testimony before the committee of General Murray, the Chief of Artillery of the United States, as follows:

Mr. SMITH. Now, to man the guns proposed to be mounted by the Taft Board would take more than 50,000 men, would it not?

General MURRAY. It would take exactly 55,110 men, which includes our insular possessions and also the Isthmus of Panama.

Mr. SMITH. How many for the continental United States?

General MURRAY. In the United States, for the defenses completed and projected by the Taft Board, 47,709 men.

It would then appear that between 7,000 and 8,000 men would be required to man the proposed fortifications in the insular possessions and more than 47,000 men to man the fortifications in the United States, making an aggregate of more than 55,000 men. The whole Army of the United States now amounts to less than 60,000 men, and the annual Army bill is for about \$70,000,000. In other words, counting the pay and maintenance of the troops and the new barracks and those things that are every year appropriated for, it costs about \$1,200 for every man in the American Army. So that if we were to man the proposed Taft Board's fortifications it would cost this Government \$66,000,000 a year to so man them as to furnish a sufficient number of men, with each man serving theoretically twenty-four hours.

It is not so important what we appropriate in any given fortification bill as it is important as to what is to be the constant and yearly expense imposed upon the Government for the manning of the fortifications; and the proposed plan contemplates adding to the expense of this Government more than \$50,000,000 a year forever. It is as against the rapid growth of an institution which is expensive—not in what it costs to establish it, but in what it costs to maintain it—that I have always resisted too rapid progress in the fortifications at home and abroad. I am a hearty believer in the "big stick," but I do not believe in carrying a stick so large that we will be worn out with the mere weight of the stick and can not wield it when the hour of emergency comes. It is important that we do not squander our military resources, all of them, in time of peace, but reserve some strength for the hour of struggle.

And so your committee has tried at once to provide defenses suitable for this country and our insular possessions, but which will not impoverish the people by the cost of a great army to man them in time of profound peace. My distinguished colleague from Illinois [Mr. GRAFF] has well pointed out to the House that, owing to the exposed condition of the insular possessions, the committee has, in effect, recommended a progress in the Philippines and in Hawaii five times as rapid as the progress we have made in the defense of our own homes and our own hearthstones. And yet, notwithstanding this fact, and notwithstanding the fact that we are giving \$600,000 more for the insular possessions this year than we gave last year or year before, it is contended that we are not yet proceeding fast enough.

Mr. DAVIS of Minnesota. May I interrupt the gentleman?

Mr. SMITH of Iowa. Certainly.

Mr. DAVIS of Minnesota. Without expressing any opinion

as to the merits of what the gentleman is saying, because I am very interested in what he does say, does he not think that, owing to the exposed condition of our insular possessions, more rapid progress should be made than upon continental soil?

Mr. SMITH of Iowa. I certainly do, Mr. Chairman, and so stated in opening the debate of this bill. But how much faster?

Mr. DAVIS of Minnesota. As much in proportion as our insular possessions are exposed to a greater extent than those upon this continent.

Mr. SMITH of Iowa. I can not grant that, Mr. Chairman. I would say that in determining the relative speed at which we should fortify insular and continental United States we ought to take into consideration the greater danger to which the insular possessions are exposed, and also the fact that they are of less importance than continental United States.

Mr. DAVIS of Minnesota. I agree with the gentleman on the less importance.

Mr. SMITH of Iowa. Yes, sir.

Now, I shall say nothing further upon that subject at this time; but I do want to speak, but briefly, about the proposition to fortify the mouth of Chesapeake Bay. We are told in the hearings, and told in the report of the Taft Board, that the Endicott Board realized the importance of fortifications at the mouth of Chesapeake Bay, but condemned them as being too extravagant or too expensive to be considered at that time. I have in my hand the report of the Endicott Board, covering 400 pages. That report fails to bear out the statement made with reference to the judgment of that board. The report, on page 25, contains an estimate for floating batteries, including armament. In that estimate Chesapeake Bay is not mentioned, but on page 9 this language is used:

Besides the floating batteries hereinafter specifically recommended, the board desires to point out that while not required at present, others may be useful to guard the eastern end of Long Island Sound and the approaches by that side to New York, and the Chesapeake Bay as an outer line of defense to Baltimore, Washington, and Hampton Roads.

The Endicott Board recommended no artificial island and no fortification there, and no floating batteries. But it recommended floating batteries at the places named on page 25, and then on page 9 said it might be—it was possible—that floating batteries could be made useful at the mouth of Chesapeake Bay.

This is all there is in the Endicott Board report tending to sustain the contention that the Endicott Board believed that this artificial island ought to be constructed, and failed to recommend it because of its expense.

But suppose I should concede that the Endicott Board wanted an artificial island at the mouth of the Chesapeake Bay, and failed to report it because of its expense. The Endicott Board reported a scheme of fortifications of the coast at an expense of \$126,000,000. The Taft Board reported a scheme of fortifications of the coast at a cost of \$125,000,000, or less money. If the Endicott Board thought this island so expensive that they would not enter upon it, how comes it that the Taft Board thinks that it is cheaper?

The Endicott Board was a Congressional board. The Endicott Board had power to spend money. The Taft Board was created by Executive order, and never had a dollar at its disposal from beginning to end for the purpose of making soundings or borings of any kind. If I should concede, as claimed, that the Endicott scheme left this out because of its expense, I should say that the Taft Board, that recommended it, never made any investigation to find out how expensive it would be. Why do I say that? Because that is the testimony of Colonel Abbot, of the Engineer Corps. Colonel Abbot says \$2,600,000 was for the creation of an artificial island.

That is as accurate an estimate as can be made without boring, etc. Such preliminary estimates can not be as correct as if we had made surveys, etc. We have to make assumptions as to some things. That sum will be approximately what will be required to create an area of some 50 acres, which the artillery say will be necessary for the number of guns planned to go on that island.

But they say the Endicott Board was in favor of this scheme, but thought it too expensive.

Mr. MAYNARD. Who says it was too expensive?

Mr. SMITH of Iowa. Colonel Abbot says that the Endicott Board thought that; and the Taft Board, which did not have a dime available for borings, and has not made any at all, is in favor of the creation of this artificial island and the establishment of a fortification at the mouth of the Chesapeake Bay. Secretary Taft when before the committee declared that all the cities upon the Chesapeake Bay were impregnable fortified. This fortification is regarded as in the nature of an outer line of defense.

The Congress of the United States has had many examples of entering upon great works without accurate estimates. It may not be without interest to know that on the 22d of February,

1855, Mr. Stanton, of Kentucky, offered, while the House had under consideration the civil and diplomatic appropriation bill, an amendment "for removing the then present Dome on the central portion of the Capitol and the construction of one upon the plan designed by Mr. T. U. Walter, architect of the Capitol extension, \$100,000."

In the debate upon that bill, Mr. Stanton said it was important that the appropriation should be made at once, as he understood the change could be made before the meeting of the next Congress.

That was an assertion that this \$100,000 was to be in full for removing the old Dome and constructing the new one, because he said the change would be completed, if the money was given, before the next meeting of Congress.

When Congress next assembled the old Dome had been torn away, so that Congress could not recede, and a roof had been put over the Rotunda. Congress was informed on March 14, 1856, by the Hon. Jefferson Davis, Secretary of War, that the architect estimated it would take \$945,000 to build the new Dome.

On March 2, 1867, the last \$15,000 of \$965,000 was appropriated for the construction of the Dome.

Such has been the history of enterprises thus heedlessly entered upon by Congress. Without a boring to know what they are going to build this island on, without any knowledge whether the ground under Chesapeake Bay is such that they can there dredge the material to build the island of or must go elsewhere for it, without a survey, without an estimate, they come to Congress and demand \$2,600,000 upon the guess of somebody of how much it will cost to build an artificial island, when they do not know whether the foundation is rock or quicksand and do not know whether the material adjacent to it in the bay, that normally would be dredged to make the island, is rock or sand.

Mr. MAYNARD. Will the gentleman submit to a question?

Mr. SMITH of Iowa. Oh, certainly.

Mr. MAYNARD. How are you going to arrive at what would be the cost of building this island unless you make some provision in the bill for an appropriation to pay for a survey?

Mr. SMITH of Iowa. I take great pleasure in answering the gentleman. For many years the fortification bill has carried an appropriation for the reclamation of sites, out of which surveys and estimates for such purposes have been made. I have in my hand a memorandum of an answer received by telephone this morning from the Treasury Department, stating that there is unexpended a balance in the Treasury to the credit of this fund, available for this purpose, of \$151,876. The Engineer's Department estimates that it will take \$3,000 to make these surveys, borings, and estimates. There is the sum of \$151,876 available for that purpose now unexpended in the Treasury.

Now, if the War Department deems this of paramount importance, it will certainly assign the necessary money for these surveys from this large sum at its disposal. And if the War Department does not deem it sufficiently important to make a survey before demanding that we give \$2,600,000 upon a project that may, like the Dome of the Capitol, cost ten times the amount originally estimated, I for one will not vote to give it any money at all.

Now, Mr. Chairman, I do not care to detain the Committee longer, and unless the gentleman from New York [Mr. FITZGERALD] has some time that he wishes to yield, I will call for the reading of the bill.

Mr. FITZGERALD. There is nobody on this side who desires time.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

For construction of fire-control stations and accessories, including purchase of lands and rights of way, and for the purchase, installation, operation, and maintenance of necessary lines and means of electrical communication, including telephones, dial and other telegraphs, wiring and all special instruments, apparatus, and materials, coast signal apparatus, and salaries of electrical experts, engineers, and other necessary employees, connected with the use of Coast Artillery; for the purchase, manufacture, and test of range finders and other instruments for fire control at the fortifications, and the machinery necessary for their manufacture at the arsenals, \$700,000.

Mr. MAYNARD. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

On page 2, in line 8, after the word "dollars," insert the following: "To make all necessary surveys, borings, and other investigations necessary for and the preparation of an accurate detailed estimate of what it would cost to construct proposed artificial island for fortifications between Capes Charles and Henry, Chesapeake Bay, and to ascertain whether the title to the site of said proposed artificial island can be obtained without expense to the United States, \$3,000."

Mr. SMITH of Iowa. Mr. Chairman, I make the point of order against this amendment that this was not covered by the

Endicott scheme and not authorized by law to be executed, and therefore the proposition is not authorized by existing law.

The CHAIRMAN. Will the gentleman from Iowa inform the Chair what authority of law there was for the Endicott scheme and whether the Endicott scheme has been adopted by law?

Mr. SMITH of Iowa. I will say, Mr. Chairman, that I understand that Congress in 1885, shortly after the report of the Gun Foundry Board, passed a law creating a board to report a plan of fortifications, and that board reported in 1886. There has been no express act of Congress adopting the plans proposed by that board. They were prepared, however, by direct authority of Congress, and Congress has from time to time appropriated money for carrying out the plans of the Endicott Board. Last year the President, without any authority from the legislative branch of the Government, appointed a board to revise these plans. This project here referred to originates in the report of this executive board.

The CHAIRMAN. Will the gentleman inform the Chair whether the fortification bills in the past making new appropriations included any report of the Endicott Board?

Mr. SMITH of Iowa. I may say that they never so expressed upon their face. Reports accompanying all of the bills, as far as I now recollect, state that they are in furtherance of the execution of the plan of the Endicott Board.

The CHAIRMAN. Does the gentleman from Virginia wish to be heard now?

Mr. MAYNARD. No; I will yield now to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Chairman, I understand the point of order to be that this proposed amendment offered by the distinguished gentleman from Virginia [Mr. MAYNARD] is not in line with any preexisting law, or in line with the recommendations of the Endicott Board appointed by President Cleveland by virtue of the act passed in 1883. I presume, Mr. Chairman, if that rule should be applied, that at least nine-tenths of the entire appropriations provided for in the bill would go out on a point of order. This is a general fortification bill; it is a bill that has to come from the Appropriations Committee to provide generally for fortifying our seacoast and for other like purposes. If there is anything in the bill that exactly and specifically provides for any defenses that are provided for by law, I do not now recollect it. There is not an appropriation anywhere except where they have been generally recommended by either the Endicott Board, the Taft Board, or the War Department perhaps, or officers of the War Department, and are not in accordance or in pursuance of any specific plan at particular places.

One of my criticisms upon the bill which has been emphasized to-day by the eloquent remarks of both the gentlemen from Illinois [Mr. GRAFF] and the gentleman from Iowa [Mr. SMITH] is that we do not do anything in a substantive way under our proposed appropriations. They both come here to-day, admitting what I charged, and that is that it is not proposed to make any definite, conclusive, complete appropriations for any fortifications in the United States, but the highest per cent for any of these appropriations is to be only 14 per cent of all that is asked for, and nothing in any case sufficient to complete anything. Are any of these appropriations in pursuance of existing law? It is within the jurisdiction, Mr. Chairman, of the committee and of the House to appropriate for all that Congress thinks will be needed to safeguard our seacoasts so as to provide general defenses at particular places, naval stations, and so on, in the island possessions. But the point of order is now made in order that the most important of all recommendations for defensive fortifications that have been made shall not have a dollar expended in the direction of preparing to make them—not even to make the necessary investigations at that place. The gentleman from Iowa [Mr. SMITH] has just demonstrated that as long ago as 1885 and 1886 the Endicott Board looked to the matter of the importance of appropriating money to defend the mouth of Chesapeake Bay.

Mr. LIVINGSTON. Mr. Chairman, will the gentleman permit a question?

Mr. KEIFER. Yes.

Mr. LIVINGSTON. As the amendment is offered the latter part of it reads as follows:

And to ascertain whether the title to the site of said proposed artificial island can be obtained without expense to the United States, \$3,000.

If this amendment is adopted as it reads, will it not commit us to the whole scheme?

Mr. KEIFER. I don't care if it does.

Mr. MAYNARD. Suppose it does.

Mr. KEIFER. I want to be committed to that scheme, which

the great naval and military men of our country and the Secretary of War and the President of the United States think is of the first importance in the matter of our coast defenses. Does anybody dispute that?

Mr. LIVINGSTON. Yes.

Mr. KEIFER. Then the record must be looked into as to the report of the Taft Board and the messages from the President and the reports of the Secretary of War to confirm what I have said, and the RECORD of to-morrow's proceedings containing my speech will cite or quote from all or most of them.

Mr. Chairman, I would be somewhat satisfied with the point of order if I felt that there was any possible way by which we were to get at this most important matter. Gentlemen would indicate that they were willing to fortify the mouth of Chesapeake Bay if somebody will voluntarily, at his own expense, for that is what it means, make the necessary investigations and then perform that wonderful feat of informing the distinguished gentlemen sufficiently to convince their minds that the distinguished people who do this work in advance are right. It is said that we have a law now that authorizes the expenditure of money to make these investigations. If that is so, according to the statement of the gentleman from Iowa [Mr. SMITH], then this is in line of existing law. I do not believe this is exactly true.

Mr. TAWNEY. Is it not the law that the gentleman from Iowa [Mr. SMITH] referred to, authorizing these expenditures—the law which authorizes the expenditures to be made within the recommendations of the Endicott Board, which is the Board created by act of Congress?

Mr. KEIFER. The gentleman from Minnesota [Mr. TAWNEY], the distinguished chairman of the Committee on Appropriations, has given a complete answer to that long argument of the distinguished gentleman from Iowa [Mr. SMITH], in which he attempted to show that these people could go with the present state of the law and find out whether it was practicable or feasible to build an island in the mouth of the Chesapeake Bay. This proposition is in general line with the appropriations needed, following not alone what the Endicott Board recommended, as will be found on page 9 of that Board's report, but following the unanimous report of the Taft Board, and it asks that some steps shall be taken in the direction of finding out whether it is practicable and feasible to build an island or erect some other kind of defense in the mouth of the Chesapeake Bay. So, Mr. Chairman, I think we are in proper line with all that is to be found in the bill, in so far as this amendment is concerned, and we are in line, too, with the general purpose so clearly stated and emphasized by the gentleman from Illinois [Mr. GRAFF] this morning, just supplemented by the gentleman from Iowa [Mr. SMITH], that we are not in the work of making defenses for our country, but we are in the work of building by piecemeal patches to that work, following an unbusinesslike idea that no individual or corporation ever adopts. Think of a farmer who wanted a house to cover his family and a barn for his stock and grain who would say: "I have so much money, but I will not build a house or a barn. I will not make any completed improvements; I will freeze to death first. But I will put in the foundations for both house and barn this year, and in seven years"—following the rule of the gentleman from Iowa [Mr. SMITH]—"maybe I will have something under cover. If I live long enough, if I am not frozen to death, I will be all right in time." That is the theory upon which we are proceeding, and that is the theory of the amendment of the gentleman from Virginia [Mr. MAYNARD].

Mr. MAYNARD. Mr. Chairman, it seems to me that this amendment is in order. The Endicott Board was authorized by act of Congress, and the report of that board was submitted to Congress and adopted by Congress, and, as admitted by the gentleman from Iowa [Mr. SMITH], on page 9 of that report that board made certain recommendations and, to use the language of the distinguished gentleman from Iowa [Mr. SMITH], which I presume is the language of the report, said that it might be necessary to create defenses and fortifications at Cape Charles and at Cape Henry. The bill which is being considered by this committee is in furtherance of that report, and in offering this amendment to the bill it is carrying out the report of the Endicott Board, so that we may determine by an accurate survey what kind and how costly a class of defense is needed at the mouth of Chesapeake Bay, and I think it is entirely pertinent and in order at this time.

The CHAIRMAN. The Chair does not understand that in the act of Congress authorizing the appointment of the Endicott Board Congress by law provided that that report should be adopted or that any act of Congress has been enacted since that time specifically adopting the report of the Endicott Board. On the other hand, Congress has provided in annual appropriation

bills for the expenditure of money for fortification purposes, usually in general language making appropriations for purposes general in their nature, to be expended by the War Department. In a few cases appropriations have been made for specific purposes, but as a rule in general language.

In the opinion of the Chair, expressed with some doubt, under the practice of the House at least, the items in the appropriation bill in general language are probably in order, though the Chair does not undertake to rule upon the question at this time; but the Chair thinks that the introduction of a new item for a work not in progress is not in order, and the Chair therefore sustains the point of order.

Mr. TALBOTT. I understood from the gentleman from Iowa that \$151,000 is appropriated in this bill for surveys; that it is in the Treasury and available. Now, I suggest to the gentleman from Virginia that he offer an amendment making \$3,000 of that specially available for this survey.

Mr. MAYNARD. Mr. Chairman, I desire to write an amendment to offer. I want to give notice that I desire to offer the amendment at this point and I shall ask later that we return to this item that I may offer that amendment.

Mr. LITTAUER. I can not understand the gentleman's motion.

Mr. MAYNARD. My request was that I desire to offer another amendment at this point, and I desire to prepare the amendment and shall ask to return to this item later in order that I may offer the amendment.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent—

Mr. LITTAUER. Mr. Chairman, I must object.

The CHAIRMAN. The gentleman from New York objects.

Mr. MAYNARD. Mr. Chairman, I desire to offer the following amendment:

On page 2, in line 8, after the word "dollars," insert the following: "to make all necessary surveys, borings, and other investigations necessary for and the preparation of an accurate detailed estimate of what it would cost to construct proposed artificial island for fortifications between Capes Charles and Henry, Chesapeake Bay, and to ascertain whether the title of the site of said proposed artificial island can be obtained without expense to the United States, \$3,000, out of any money in the Treasury which may now be available for this purpose."

Mr. SMITH of Iowa. Mr. Chairman, I desire to make the point of order against this proposed amendment, and I think I can make it so plain that the gentleman from Virginia will not claim his amendment is in order. In the argument I referred to the fact that money was available in the hands of the War Department to make this survey. In the acts for a number of years, including the act passed in 1904 for the year 1905—

The CHAIRMAN. Does the gentleman from Iowa make the point of order against the amendment?

Mr. SMITH of Iowa. I do make the point of order.

The CHAIRMAN. On the assumption it has been reported to the House. Pending that, does the gentleman from Virginia desire to be heard on the point of order?

Mr. MAYNARD. I will submit the question to the Chair.

The CHAIRMAN. In the opinion of the Chair, while, as the Chair stated before, the matter is in doubt and it may be to a certain extent an arbitrary ruling, the general appropriation under the practice of the House might probably be used by the War Department for the purpose of making the survey proposed by the amendment, but, in the opinion of the Chair, it is not within the province of the House, contrary to the rules, on this appropriation bill to provide for a work not in progress. This work is not in progress, and the Chair therefore sustains the point of order.

The Clerk read as follows:

For construction of sea walls and embankments, \$25,000.

Mr. WALDO. Mr. Chairman, I desire to submit an amendment at this point.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by including, on page 2, between lines 23 and 24, the following words:

"For the purchase of land adjoining Fort Hamilton, Brooklyn, N. Y., and necessary for the enlargement of said fort and the maintenance and preservation of the fortifications at said fort, the sum of \$250,000."

Mr. SMITH of Iowa. Mr. Chairman, I make the point of order against this amendment.

The CHAIRMAN. The gentleman from Iowa makes the point of order.

Mr. WALDO. Will the gentleman reserve his point of order?

Mr. SMITH of Iowa. The gentleman from New York requests that I reserve the point of order, and I see no objection to that.

The CHAIRMAN. The gentleman from Iowa reserves the point of order.

Mr. WALDO. Mr. Chairman, this is a matter that has been repeatedly recommended by the War Department. They are now constructing at Fort Hamilton very heavy fortifications, but the reservation is too small and the improvements there too little to accommodate sufficient force to take care of fortifications already constructed at an expense of \$2,500,000. This addition to the fort and the construction of other barracks for the purpose of accommodating the necessary force to take care of such fortifications as already exist, were recommended by Colonel Greenough, commandant at this place for several years. It is also recommended by Secretary Taft and by Gen. Frederick D. Grant, the commandant of that department. This was especially called to my mind by a resolution adopted by the Chamber of Commerce in the city of New York on the 3d day of January, 1907, calling attention to the fact that the artillery force was not sufficient at New York City to take care of the fortifications that were there at present. There are not barracks enough, there is not room—not the proper parade grounds, or anything else at this place—and the Government before expending large sums of money on insular possessions certainly ought to take care of the metropolis of the country. This bill provides for over a million and a half of dollars to be expended principally in new fortifications in the Philippines. It is a very grave question whether any money ought to be expended in the Philippines until the coast of our country is properly protected. A proposition has been made by citizens residing in the neighborhood of this fort, that the Government either ought to abandon the fort or it ought to take care of it. Anyone who has been through that fort lately knows that its condition is shameful; that the fortifications that have been put there at large expense—I am informed over \$2,500,000 within the last few years—are going to rack and ruin. The guns are rusty, everything shows lack of proper repair and preservation, because there is no place there in which to keep a sufficient force to take care of the fort. This is a matter, it seems to me, that requires the prompt attention of Congress. I see no reason why any objection should be made to the expenditure of this small sum for this very necessary purpose.

I will ask that the resolution to which I have referred, from the Chamber of Commerce of the city of New York, be appended to my remarks.

The resolution is as follows:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK,
New York, January 10, 1907.

At the monthly meeting of the chamber of commerce, held January 3, 1907, the following in reference to House bill No. 17347 to reorganize and to increase the efficiency of the artillery of the United States Army was unanimously adopted:

"Whereas this chamber feeling a deep solicitude that this great and most important harbor and entrance for the commerce of the United States should be amply protected by all possible and practicable local fortifications and be supplied with the most modern and effective weapons of war, did on January 4, 1900, pass a series of resolutions intended to impress upon Congress the great value and absolute necessity of action to remedy this defect in our system; and

"Whereas Congress and the United States authorities, under its action and approval and furtherance of this idea and desire, passed requisite acts and have created and mounted at its forts at the entrance of the harbor suitable guns, etc., as suggested by the chamber, and for which the chamber does hereby express its gratitude and acknowledgment; and

"Whereas the necessity of an important addition to the personnel of qualified officers and men acquainted with the new and changed character of the equipment and needed to supply the additional work required in all parts of such changes and additions, do hereby most earnestly ask and urge upon Congress the adoption and passage of House bill 17347, entitled 'A bill to reorganize and to increase the efficiency of the artillery of the United States Army,' calculated to supply the actually needed additions, etc."

MORRIS K. JESUP, President.

Attest:

GEORGE WILSON, Secretary.

Mr. SMITH of Iowa rose.

The CHAIRMAN. Does the gentleman from Iowa [Mr. SMITH] desire to be heard on the point of order?

Mr. WALDO. Mr. Chairman, I desire to be heard on the point of order.

Mr. FITZGERALD. Mr. Chairman, I wish to say to my colleague that I am heartily in favor of some provision being made for the enlargement and proper repair of the fort at Fort Hamilton. A number of Army officials from time to time have strongly urged that additional land be acquired at that place and that certain changes be made in the present arrangement of the buildings. If this reservation is to be enlarged it should be at once or in the near future. Otherwise it will be impossible for the Government to acquire lands for that purpose at this place. Land in the neighborhood of this fort is worth to-day between \$10,000 and \$15,000 an acre, and the price is rapidly enhancing, so that if the Government is ever to enlarge this fort the land should be acquired now while the prices are within

reason and not wait until it will be utterly impossible to acquire the lands.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. FITZGERALD. Certainly.

Mr. SMITH of Iowa. I wish to inquire for information how long it is since old Fort Hamilton was completed in its present state?

Mr. FITZGERALD. "The memory of man runneth not to the contrary." I do not know.

Mr. SMITH of Iowa. The Government, then, as I understand, bought all the land that was then deemed necessary, and completed a fort; and this is to enlarge or extend that work which has heretofore been once completed.

Mr. FITZGERALD. The system of coast defenses requires in the vicinity of Fort Hamilton a large number of modern guns that were not contemplated at the time Fort Hamilton was established. There is necessity for accommodation for a much larger number of troops than was contemplated when the present site for a reservation was acquired. The result is that from time to time various officials have requested and recommended that this additional land be acquired. In the last session of Congress, when the sundry civil appropriation bill was under consideration, this item estimated for by the Department was considered very briefly and hastily by the committee, and a remark that was made by an official gave the impression to the subcommittee that it was not an imperative need at that time. The fact is that if the Government intends to enlarge this reservation—and it has been recommended by every official who has been on duty in that vicinity, and has received the approval of the Secretary of War on several occasions—provision should be made soon, because the price of land in that vicinity is very high and rapidly increasing. The people of the neighborhood are not anxious for the enlargement of this reservation. This is not a land scheme. Within the past month residents of the locality petitioned the gentleman from New York [Mr. WALDO] to have the entire fort abandoned, as they believed it was a detriment to the property in the vicinity. Upon the request of the gentleman from New York a report was made by the Secretary of War, based upon information called for by him from several officials, who said that this fort was an essential feature of the defense of the city of New York, and that it was necessary to enlarge the fort. If this be true, something should be done; and if it can not be done in this bill, I wish to assure my colleague that I shall do everything in my power to have the committee provide for this item in the proper bill—the sundry civil appropriation bill. These reports that have been made must be considered, and if the land desired can not be acquired at this time it will be impossible for the Government in the future to acquire the land at all. I simply wish to say this, so that my colleagues on the committee will realize that during this present session of Congress it will be necessary to consider this item seriously and to determine definitely whether the land shall be acquired or whether the plans of the Department, so far as the renovation and enlargement of this fort are concerned, shall be abandoned.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. SMITH of Iowa. I desire to insist upon the point of order simply upon this ground, Mr. Chairman: It is practically conceded, and it is true, that Fort Hamilton is completed. It has been a fort since the memory of man runneth not to the contrary. It is proposed to enlarge the inclosure around the existing fort. Those appropriations have never been carried on the fortification bill. This land is not desired for fortification purposes. There is nothing to show that it is proposed to put a battery upon this land, and there is no design to put a battery upon this land. But it is proposed, perhaps, to have barracks and have quarters and have something incident thereto to enlarge this fortification site.

Now I would like and need, greatly need, an appropriation to enlarge the Federal building in my own town; and yet it is not "a continuance of a work in progress." That building has been completed, and it is not in continuation of a work in progress to enlarge the site or that building. This Fort Hamilton has been completed. This proposition here now is to enlarge it, and is no more a continuance of a work in progress than to put an appropriation on the sundry civil appropriation bill for every public building in America to enlarge and extend it. Such appropriations are never carried on the fortification bill, and never should be carried in the sundry civil bill.

The CHAIRMAN. Is it the contention of the gentleman that this amendment will be subject to the point on this particular bill?

Mr. SMITH of Iowa. I contend that it is not in order at all—

Mr. FITZGERALD. Oh, it is.

Mr. SMITH of Iowa (continuing). And second, it is especially not in order upon this particular bill.

The CHAIRMAN. Does the gentleman think that no appropriation for the purchase of land for forts would be in order upon the fortification bill?

Mr. SMITH of Iowa. Oh, no; I would not say so, because it has been the practice from very early time, and the practice may be stated as defined in the rules of the House, to carry general appropriations for sites for seacoast batteries, not for any specific site at all, but generally for sites. But here is a proposition to enlarge an existing, established, and completed fort. That, I say, is not in order upon this bill. I do not think it will be in order upon the sundry civil appropriation bill.

Mr. FITZGERALD. Mr. Chairman, it was held in order upon the sundry civil appropriation bill at the last session of Congress.

Mr. SMITH of Iowa. Does the gentleman say that it was so held?

Mr. FITZGERALD. It was held to be in order. The Chair can get a ready reference to that ruling, I am sure.

Mr. WALDO. Mr. Chairman, in the first place, it is not a completed fort. The new fortifications that were commenced here are not completed. This additional land is now needed to take care of the troops just as much as the land between two guns.

In the first place, there are already provisions in this bill for the purchase of land, one for the purpose of establishing electrical plants in fortifications, and another to buy land in the Philippines for new fortifications. This amendment, it seems to me, is for the preservation of a fortification rightly to be considered as still under construction. One thing must be constructed anyway and that is quarters for the troops, because they have been practically all burned down. Whenever the barracks are to be constructed, they ought to be constructed as they are intended to remain permanently, be in such size and form as will take care of the proper force; that is as much a continuance of a work under way as anything provided for in any line the gentleman has in his bill.

The CHAIRMAN. Will the gentleman from New York permit the Chair to ask him a question with reference to the language of the amendment:

Necessary for the enlargement of said fort—

And so forth. Is the declaration that this land is necessary a change of existing law or not?

Mr. WALDO. I think it is not, for the reason that it is not only an enlargement, but it is necessary for the preservation and care of the present fortification. That is the language of that amendment. The War Department has repeatedly so declared. Every commandant of that fort for the last ten or fifteen years has so declared. The present commander of the Department of the East has so declared, and there is nobody else in authority who can give any more information or better information than we now have.

The CHAIRMAN. While the Chair thinks there may be some question in reference to the form of amendment making a declaration that this purchase of land is necessary, and that possibly that might be construed to be a change of existing law, yet the Chair assumes that that is more a matter of argument than it is a declaration of law. The rulings have been that where the Government owns land, or a site, the purchase of adjoining land is not subject to a point of order and is a continuance of a work in progress. The Chair, therefore, overrules the point of order.

Mr. SMITH of Iowa. Mr. Chairman, in view of the fact that two arguments have been made in support of this amendment, under the reservation of the point of order, I simply desire to urge upon the committee that it would be unwise to incorporate this amendment, for this, if for no other reason: Estimates of this character are sent to the subcommittee on the sundry civil bill. This subject was never brought before the committee having consideration of this bill. There has been no consideration of it, or opportunity for that committee to go into the merits of the proposition. I say it in all kindness, but my distinguished colleague from New York, the gentleman who speaks in favor of this amendment, never called it to the attention of the subcommittee of which he is a most useful member. Not the slightest consideration has been possible at our hands of an estimate made for another bill, where this amendment, if proper, would be considered by the committee. And for this House to incorporate large additional appropriations for items that have not been considered and could not be considered, because not referred to the committee in charge of this bill, would not only

establish a bad precedent, but it is unwarranted, even upon the opinion, in my judgment, of such capable Members as the two gentlemen who have spoken in favor of the amendment. I therefore submit that the amendment ought to be voted down, to let the estimate of this expenditure be investigated by the subcommittee to which the estimate has gone for this enlargement. I personally know nothing as to its merits, and that is the situation of all the subcommittee except the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. I wish the gentleman would take my assurance that it is a perfectly proper appropriation to make at this time.

Mr. SMITH of Iowa. The gentleman's assurance is perfectly good with me on almost any subject; but I do think that when he wants \$250,000 on this bill, he might, in kindness to the rest of us, tell us about it before the bill is reported, so that we may know that the subject is coming up.

Mr. FITZGERALD. The reason it was not called to the attention of the subcommittee considering this bill was that I understand that, under the practice of the House, it properly went to a different subcommittee.

Mr. SMITH of Iowa. That is undoubtedly true.

Mr. FITZGERALD. I think it is proper for me to say this in explanation of my own position.

Mr. SMITH of Iowa. That is undoubtedly a good explanation, but it is also a good reason why the House should not now vote in favor of the amendment.

Mr. FITZGERALD. My colleague [Mr. WALDO] has so well presented the reasons for this appropriation that, inasmuch as it is in order upon this bill, it seems to me we can not do less than to urge all those reasons upon the members of the committee and ask them to accept the statements and vote the money for this very necessary and proper work.

Mr. GILLETT. Has the sundry civil bill been reported or considered at this session?

Mr. FITZGERALD. I am not a member of the subcommittee that considers that bill, and I am unable to state from my own knowledge whether the bill has been considered by that committee.

Mr. GILLETT. I will ask the gentleman from Iowa.

Mr. SMITH of Iowa. The sundry civil bill, as I understand it, has been printed for the use of the subcommittee and contains this item for consideration by the subcommittee.

Mr. GILLETT. So that there is still opportunity for this item to be considered by the proper committee.

Mr. SMITH of Iowa. And it will be considered and accurate knowledge obtained as to the merits of the project, if opportunity is given to that committee to investigate it.

Mr. FITZGERALD. If the gentleman is as favorably impressed by the soundness of the argument made in favor of this item by my colleague [Mr. WALDO] and myself, it seems to me that we are justified in urging the amendment at this time.

Mr. SMITH of Iowa. I am always favorably impressed with the remarks of the gentleman from New York.

Mr. HILL of Connecticut. The gentleman from New York [Mr. FITZGERALD] is possibly familiar with these waters and with the system of defense from Sandy Hook up to New York City. Now, I want to ask him if he honestly believes that Fort Hamilton to-day is any more essential to the defense of New York City than a battery would be in the middle of Central Park?

Mr. FITZGERALD. The men best equipped to express an opinion on that point have stated within three weeks that this feature is absolutely necessary for the defense of New York.

Mr. HILL of Connecticut. I ask the gentleman from New York what his opinion is, with his familiarity with the whole location?

Mr. FITZGERALD. The gentleman from New York is not so presumptuous as to give an opinion upon that point against the expressed opinion of the experts of the War Department. I read with much interest the statement that was made by these gentlemen, that the guns erected at Fort Hamilton will control Ambrose channel, which is now in course of completion. They say that they are essential for the defense of the harbor at that point. I assume that the officials of the Department are able to determine that question. The Secretary of War had a consultation with the Chief of Artillery, the Chief of Ordnance, and, I think, the head of the Bureau of Ordnance, and they said that it was absolutely necessary as a part of the system of fortifications at the harbor of New York to maintain this particular place.

Personally, if it were not necessary, I would welcome the abandonment of the fort, because I believe that it does prevent the development, in a very desirable way, of a very desirable portion of the city in which I reside. But the War

Department insists that this is imperative, that this fort must be maintained, and I am unable to offer an opinion against the expression of the officials of the War Department. Perhaps the gentleman from Connecticut is better able to pass on that question than myself or the officials of the War Department.

Mr. HILL of Connecticut. It is because I doubted the accuracy of my own judgment that I appealed to the gentleman from New York. I have not got his opinion yet, although he has quoted the opinion of other people.

Mr. FITZGERALD. My opinion is based upon the information by men who are eminently qualified to give an opinion, that this is an essential feature of the defenses of the harbor of New York.

Mr. WALDO. Mr. Chairman, I desire to say in response to the remarks of the gentleman from Connecticut that anybody who lives in the city of New York will appreciate the force of the argument in support of this amendment. Perhaps if the gentleman lived in a small town in Connecticut, or in the western part of this country, two or three thousand miles from the coast, he might think it was not necessary to defend the harbor of a great city like New York. But the entrance to this harbor at Fort Hamilton is 12 miles wide, and small vessels can come into the harbor 10 miles distance of the fortifications at Sandy Hook, and when the Ambrose Channel is built, they can come in a direct line to the Narrows between Fort Hamilton and Fort Wadsworth, and do not pass close in front of the Sandy Hook fortifications for two or three miles, as they must in the present ship channel. The guns of the present fortifications at Sandy Hook would only command Ambrose Channel a short distance, while small vessels could come up Coney Island channel, past Sandy Hook, at a distance of 9 or 10 miles at any time, and shell the city from the inner harbor, if it were not for the fortifications at Fort Wadsworth on Staten Island and these fortifications opposite at Fort Hamilton. In the opinion of the War Department these fortifications on opposite shores of the narrow entrance to the upper bay are an absolutely necessary second defense against a hostile fleet coming into the harbor. If these two forts were torn down, as suggested by the gentleman from Connecticut, of course a hostile fleet, some of it, at least, could come into the harbor. There is no question about that. The city could be destroyed by light vessels without any question. If I did not think this appropriation was absolutely necessary, I should not be advocating it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and upon a division (demanded by Mr. WALDO) there were—23 ayes and 34 noes.

So the amendment was lost.

The Clerk read as follows:

For the purchase, manufacture, and test of ammunition for seacoast cannon, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, \$325,000.

Mr. HEPBURN. Mr. Chairman, I move to strike out the last word. I notice that in a series of paragraphs that have last been read, four or five in number, there is this language:

And the machinery necessary for its manufacture at the arsenals, \$325,000.

Coupled with the provision of the purchase and test of ammunition there is also in each of these paragraphs a provision for the manufacture, or for the purpose of at least purchasing machinery for manufacture. I desire to inquire of the gentleman in charge of the bill if it is in contemplation that the Government should enter into the manufacture of the various munitions of war or equipments for war that are provided for in these paragraphs?

Mr. SMITH of Iowa. Mr. Chairman, substantially always a portion of these items are let to contract and a portion is expended at the arsenal. The expenditure at the arsenal almost always requires some incidental machinery. There is never carried in the appropriation for the enlargement of the arsenal or new shops or anything that would enable the great expense of the manufacturing project, unless it be specifically given in the bill, and there is nothing of that kind in this bill.

But it is the practice of the Government to buy some pieces, some portions that are partially manufactured, some castings of some other iron shapes, and the like of that, so that it becomes necessary to carry the language both for purchase and manufacture, even if the Government is to in a sense manufacture the completed article in all instances. That is, if the Government is going to manufacture a siege gun, we will say, certain pieces will be bought that had upon them some work done, so that they might be called manufactured articles as distinguished from pure raw material, and it is necessary to

carry this language to enable the Department to carry on this manufacturing enterprise, and they divide the money between the public contracts and the public manufactures, so as to be able to determine what is a fair and reasonable price.

Mr. HEPBURN. I would like to further ask the gentleman if it would not be possible, should the purpose find favor in the minds of the proper officer, to expend under the peculiar language of these paragraphs a very small sum for the purchase of the article and the balance of each one of these appropriations in the procurement of machinery, so as to lay the foundations for a complete manufacturing establishment at each one of the arsenals of the United States?

Mr. SMITH of Iowa. I may say that I do not think it would be.

Mr. HEPBURN. I say, might it not be under the language of this paragraph?

Mr. SMITH of Iowa. I do not think it would be. This is language which has long been used, and it has an interpretation in the Auditor's office as well as in the War Department, and the machinery that is authorized here is, by the language of the bill, an incident to the manufacture of the main article described. I can not conceive that if a man is authorized to manufacture seacoast cannon and to purchase the machinery necessary to manufacture the seacoast cannon that any of the money could be expended wholly for machinery to manufacture seacoast cannon. In any event, I would say that this has been the language used in this bill without criticism and without objection from as far back as I know anything about fortification bills, and I think is wise language in its practical use and as applied by the Chief of Ordnance.

Mr. HEPBURN. Mr. Chairman, I do not know that it is at all proper for me to criticize the language of gentlemen who are and have been familiar for a long time with the preparation of statutes of appropriations, yet it seems to me that the language used here is the very extreme of looseness. The language is for the purchase, manufacture, and test of ammunition for seacoast cannon, including the necessary experiments in connection therewith and the machinery necessary for its manufacture at the arsenal. I undertake to say that it would be a fair interpretation of that language that would authorize the expenditure of a small amount for the purchase of cannon and ammunition and testing thereof, and a large sum—nine-tenths of it, if you choose—for the purchase of machinery, and that no auditing officer would have a right to interfere with the discretion of the officers of the Government charged with the purchase and procurement of these articles.

Mr. SMITH of Iowa. May I ask the gentleman if this language can possibly be in any wise interpreted except that it is to purchase the machinery to produce the seacoast cannon provided for in this item?

Mr. HEPBURN. I don't know that there is any limitation in this paragraph upon the number of cannon or upon the amount of ammunition that may be purchased, excepting that limitation that it put on those acts by the words "three hundred and twenty-five thousand dollars;" that it would be entirely legitimate to expend \$1,000 or, say, \$25,000 in purchase and \$300,000 for the procurement of machinery, and that it would not be within the authority of the auditing officer to affect in any way that discretion so used by the officer who purchases. The law might put limitations upon the act of the purchasing officer if it saw fit to do so, but instead of that, abdicating its right, it has conferred upon him a discretion as to the amounts that he may use, and while I think that perhaps there is but little doubt or little probability of the abuse of that discretion, yet the discretion is lodged in him and it has extended over items that amount in the aggregate to millions of dollars.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Iowa may be extended for five minutes. Is there objection?

There was no objection.

Mr. HEPBURN. While the language may for a long time have been used, and may be canonized because of its use, yet I submit that it is loose; that it is not the language of definiteness that ought to be in an appropriation bill, and that it does extend a broad measure of discretion that ought to have proper limitations.

Mr. FITZGERALD. Will the gentleman yield?

Mr. HEPBURN. Yes.

Mr. FITZGERALD. My understanding is that that language was attached to these particular paragraphs because in the

manufacture of these different articles and munitions of war it was found necessary to make some very insignificant repairs to certain machines and to make certain inexpensive tools. Last session, when I was first a member of the committee, the same objection the gentleman raises appealed to me, and the explanation of the method of disbursement under it satisfied me that while the language was not the best that perhaps might be devised, the method in which it had been worked out had accomplished a desirable result.

Mr. HEPBURN. Mr. Chairman, I am not at all satisfied that the results of the exercise of the power of these officers have at all times been satisfactory. The results are not always satisfactory. I am led to make that remark by certain matters which were developed yesterday in this committee. Yesterday I put the query to the gentleman in charge of the bill with reference to the powder manufacturers, and it was developed during that discussion that two naval officers, educated by the Government and in the employ of the Government, had been detailed to a certain scientific investigation. That investigation was a part of their employment and as a recognized duty was undertaken by them. They made such progress with it through their employment and with the material of the Government at the arsenals of the Government, with the aid of the employees of the Government, that a discovery valuable to the United States resulted, namely, the method of the manufacture of smokeless powder. These gentlemen, furnished with these opportunities, with these facilities, charged with these duties, took advantage of the knowledge which they had acquired, the employment they had, to patent these discoveries and then sold the patents to other parties. The gentleman says that the rights of the United States were reserved and were carefully protected. So far as my investigation goes and so far as my knowledge goes, the rights of the Government were protected to the extent that the Navy Department made use of these patented discoveries.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman allow an interruption?

Mr. HEPBURN. Certainly.

Mr. SMITH of Iowa. The gentleman, I think, scarcely means to state that I said the rights of the Government were reserved and well protected.

Mr. HEPBURN. I think that was the emphatic language of the gentleman.

Mr. SMITH of Iowa. The RECORD will show I used no such language.

Mr. HEPBURN. Very well, I may be mistaken, but that is as I understood the gentleman.

Mr. SMITH of Iowa. I did not so intend to be understood. I—

Mr. HEPBURN. I understood him to say by reservation ample in character in the deeds of transfer the rights of the Government of the United States had been amply protected; but, waiving that, I will submit that I am in error if the gentleman insists, but I insist that the rights of the Government in the instance I have adverted to are not protected, but merely reserve to the Navy Department of the Government of the United States the right to employ or make smokeless powder. My information is that the assignees of the rights of these officers of the United States have engaged extensively in the manufacture of powder; that they have engaged in combinations whereby the price of powder has been wonderfully augmented and the Government of the United States has but two alternatives—to engage in the manufacture themselves or to submit to the extortion of those who are using these inventions that, in my humble judgment, belong solely to the United States. But not only that, the information that I have is that the present owners of these rights have now contracts with other governments to furnish smokeless powder to them, and while it is difficult for the United States to obtain it the possible future enemies of the United States are being supplied with it. In other words, we have educated men, detailed men, paid men, furnished men with facilities for making this invention, and then have permitted those men to sell to the possible enemies of the United States, and it may be—such a thing is not impossible—that should war occur with certain European powers we would find that we have put into their hands the power that would come to them from the uses of this invention.

[Here the hammer fell.]

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman may finish his remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from Iowa may conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HEPBURN. I certainly thank the committee. I submit,

Mr. Chairman, in view of this possible condition, that the language of the gentleman from Iowa, which I will quote, was not happily selected on yesterday. He said:

And so patents upon smokeless powder were granted to these officers of the United States and the right to produce in unlimited quantities vested in the Government of the United States without the payment of any royalty whatever. If some American powder manufacturer wants to manufacture this smokeless powder for sale to any power on earth outside of the United States Government, I for one am willing that that power shall pay a royalty for the genius of that American officer in inventing the device or the powder.

I submit, sir, that we are not compensated, should a condition of war exist and we be confronted with an adversary armed with this material that we have made possible by the reflection that American genius is being so much benefited. [Applause.] We would not be compensated by the fact that foreign traders are compelled to pay a royalty to an American citizen. That is not the question here. The question is whether or not these gentlemen that are charged with the expenditure of this money, gentlemen who are charged with the execution of this law, in view of what has occurred in connection with this matter, have shown that they are the proper persons to be invested with the large responsibility and the large discretion which this faulty language of the bill vests them with. [Applause.]

Mr. SMITH of Iowa. Mr. Chairman, I wish to say that I stated, as I understood it, the rights of the United States Government that were granted by license. I did not attempt at that time to even define the rights of the United States outside of the license; I did not say that the rights of the United States were amply or in any other degree protected, but stated the facts as they were. It is not claimed that this process is a secret process betrayed to foreign powers. It is claimed that it is a patented process.

Now, I reiterate what I then said, that if foreign powers are to buy this powder I have no objection to their paying an excessive price for it, and that is all I said yesterday upon that subject.

Now, in order that there may be no possible room for differences as to the facts I ask unanimous consent to print in the RECORD a letter from Mr. Allen, the Commissioner of Patents, together with the two certificates and the exhibits attached thereto inclosed in said letter, being the two licenses to the Navy Department to manufacture, the one, colloid explosive, and the other, smokeless powder.

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH] asks unanimous consent to print in the RECORD certain documents which he has indicated. Is there objection?

There was no objection.

The documents referred to are as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES PATENT OFFICE,
Washington, D. C., March 9, 1906.

HON. JAMES A. TAWNEY,
House of Representatives, Washington, D. C.

MY DEAR MR. TAWNEY: I send you herewith certified copies of two licenses from John B. Bernadou to the Bureau of Ordnance of the Navy Department of the United States to manufacture under Letters Patent Nos. 652455 and 673377, dated December 22, 1902, and referred to by you in your telephonic message this morning.

I remain, yours, very truly,

F. I. ALLEN, Commissioner.

DEPARTMENT OF THE INTERIOR, UNITED STATES PATENT OFFICE.
To all persons to whom these presents shall come, greeting:

This is to certify that the annexed is a true copy from the records of this Office of an instrument of writing executed by John B. Bernadou December 22, 1902, and recorded December 30, 1902, in Liber H-66, page 337. Said record has been carefully compared with the original and is a correct transcript of the whole thereof.

In testimony whereof I have hereunto set my hand and caused the seal of the Patent Office to be affixed at the city of Washington this 9th day of March, in the year of our Lord one thousand nine hundred and six and of the independence of the United States of America the one hundred and thirtieth.

[SEAL.]

F. I. ALLEN,
Commissioner of Patents.

[Liber H-66, p. 337.]

In consideration of the sum of one dollar to me in hand paid by the Bureau of Ordnance of the Navy Department of the United States, receipt of which is acknowledged, I do hereby license and empower the said Bureau of Ordnance of the Navy Department of the United States to manufacture, for the use of the United States naval service, at the United States naval powder works at Indian Head and at any other works that may hereafter be built by the Navy Department of the United States, the invention described as an improvement in "colloid explosive and making same," for which Letters Patent of the United States, No. 673377, were granted to me the seventh day of May, in the year 1901, to the full end of the term for which said letters patent are granted.

Signed at Washington, District of Columbia, this 22d day of December, 1902.

JOHN B. BERNADOU.

In presence of—
HARRY W. SMITH.
F. M. LANIGAN.

Recorded December 30, 1902.

DEPARTMENT OF THE INTERIOR, UNITED STATES PATENT OFFICE.

To all persons to whom these presents shall come, greeting:

This is to certify that the annexed is a true copy from the records of this Office of an instrument of writing executed by John B. Bernadou December 22, 1902, and recorded December 30, 1902, in Liber H-66, page 338. Said record has been carefully compared with the original and is a correct transcript of the whole thereof.

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[SEAL.]

F. I. ALLEN,
Commissioner of Patents.

[Liber H-66, p. 338.]

In consideration of the sum of one dollar to me in hand paid by the Bureau of Ordnance of the Navy Department of the United States, receipt of which is acknowledged, I do hereby license and empower the said Bureau of Ordnance of the Navy Department of the United States to manufacture, for the use of the United States naval service, at the United States naval powder works at Indian Head and at any other works that may hereafter be built by the Navy Department of the United States, the invention described as an improvement in "making smokeless powder," for which Letters Patent of the United States No. 652455 were granted to me the twenty-sixth day of June, in the year 1900, to the full end of the term for which said letters patent are granted.

Signed at Washington, District of Columbia, this 22d day of December, 1902.

JOHN B. BERNADOU.

In presence of—
HARRY W. SMITH.
F. M. LANIGAN.

Recorded December 30, 1902.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word in order to ask a question. Are those two patents the patents under which the Du Pont Powder Company are manufacturing powder?

Mr. SMITH of Iowa. I understand that these are two patents, among others, on which the Du Pont company is manufacturing powder. I understand that the formula for the smokeless powder for the Army is not quite identical with the powder covered by these patents; but it is probable that these patents would entitle a party at least to a royalty on the powder used in the Navy and perhaps on the powder used in the Army, in the absence of some right of the Government by license or otherwise.

Mr. GAINES of Tennessee. Can the gentleman tell whether Mr. Waddell, of Illinois, manufacturer of powder, is manufacturing under these two patents?

Mr. SMITH of Iowa. I think not; but I am not certain about that.

Mr. GRAFF. I will state for the information of the gentleman from Tennessee [Mr. GAINES] that Mr. Waddell only manufactures black powder, and that he formerly worked for the Du Pont company.

Mr. GAINES of Tennessee. I understand that he did.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has expired.

Mr. SMITH of Iowa. Mr. Chairman, I would like unanimous consent to take just a moment upon this subject in order to suggest—

The CHAIRMAN. The gentleman from Iowa [Mr. SMITH] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SMITH of Iowa. Mr. Chairman, there has been no suggestion from any source that we should build any more of these powder factories than we are at present. The gentleman complains, apparently—and I do not want to use the word "complain" if that is not satisfactory to him—that we ought not to authorize the use of this money for machinery, whereas the very object in authorizing its use for machinery is to enable the Government to manufacture the respective articles named if it finds it can do it cheaper than it can buy them in the open market.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

Mr. GAINES of Tennessee. Mr. Chairman, since my last colloquy with my friend from Iowa [Mr. SMITH] I have been handed by the gentleman from Pennsylvania [Mr. KLINE] a letter touching on this question. I will ask that the Clerk please read it for the information of the committee.

The CHAIRMAN. The gentleman from Tennessee renews his motion to strike out the last word. Without objection, the letter will be read in the gentleman's time.

There was no objection.

The Clerk read as follows:

KEYSTONE POWDER MANUFACTURING COMPANY,
Emporium, Pa., January 14, 1907.

HON. MARCUS C. L. KLINE, M. C.,
Washington, D. C.

DEAR SIR: I beg to acknowledge receipt of your esteemed favor of the 12th instant, and note what you say in regard to the distribution of the contract for smokeless powder for the use of the United States Army and Navy among different competitors, and for your information would say that there are no competitors in this business, as the only people who manufacture smokeless powder in this country are the E. I. Du Pont Company, Wilmington, Del. It is, of course, true that bids will be submitted under half a dozen different names, but for your information would say that these names are simply titles of concerns incorporated in the E. I. Du Pont Company and any bid you might receive for smokeless powder will go direct to Wilmington, Del., so that you will see there is no competition whatever.

I am not sufficiently familiar with the cost of a plant for the manufacture of smokeless powder, but I know it is an expensive proposition. So far as I am able to judge, I should think an appropriation of \$3,000,000 for that purpose to be money well spent, as the history of this country just prior to the war with Spain fully shows, and I have no doubt but you are familiar with the conditions existing at that time, when, as you well know, the Government had to delay operations until they received a limited supply of smokeless powder from foreign countries, and also that the Army and Navy were both badly handicapped by having to use black powder as against the smokeless powder used by the Spaniards.

This is a matter of record, which you can easily ascertain from the files in Washington.

Yours, truly,

KEYSTONE POWDER MANUFACTURING COMPANY,
A. C. BLUM, Secretary.

Mr. GAINES of Tennessee. Now, just one observation. The point I make it this, gentlemen: This smokeless-powder patent belongs to the Government of the United States. It was patented by Professor Munroe and turned over to the Government of the United States as its property, because he discovered it in line of duty and when he was working for the Government of the United States as an officer. Now it has gotten out of the hands of the Government of the United States, or its exclusive power, and has gone into the hands of this powder monopoly that we are trying to control by making appropriation in this or some other bill to build a smokeless-powder factory and make our own powder. Why not withdraw our property, if it is our property, from any and everybody, if we please, and thus save the expense of building a smokeless-powder factory, or control those who use this patent, and thus save money? If it is the Government's property, let the Government take charge of it and control those who use it. If it is Du Pont's property, let Du Pont have it. That is the point about it, and that is why I have addressed myself to the subject here to-day.

Mr. FITZGERALD. I move to strike out the last word. I do so simply to refer very briefly to one criticism made by the gentleman from Iowa [Mr. HEBURN] as to the language used in several items of this bill. Criticism was made of the use of the words "and the machinery necessary for the manufacture" of certain munitions of war "at the arsenal." It appeared, Mr. Chairman, in the examination of this bill last year by a subcommittee that this language did confer upon certain officials in the War Department a discretion that appeared to me then as unwise. The Chief of the Bureau of Ordnance, however, explained the purposes to which the expenditure of this money were put in so satisfactory a manner that the committee was unanimous in the belief that it was not only wise but necessary to have such language in the bill.

I am one of those who believe that the purposes for which appropriations are made should be as specifically stated as language can make them; and yet it was found that in the manufacture of certain implements of war in the arsenals it would be necessary from time to time to manufacture certain instruments, not of a very expensive character, but of a very essential nature in the manufacture of these guns, and unless this particular language was incorporated in each of these provisions there were no funds available for the acquisition of these instruments, and the entire appropriation would be unavailable for any purpose whatever.

That there is little danger that the discretion reposed in these officials will ever be abused is apparent when it is stated that the purpose for which each appropriation carried in the bill is asked was specifically explained by the chiefs of the different bureaus when the bill was under consideration. So that while I agree with the gentleman from Iowa that so far as possible the specific purpose for which the appropriation is made should be plain in these bills, yet there are some items in the bills where we have been unable to find anyone who could suggest language that would accomplish what Congress desires in these appropriations and use language not identical with the language they contain.

I simply state these facts so that Members will know that the committee in preparing this bill had this very objection in

mind, and that a criticism that at first sight might be made legitimately to this language does not in fact exist.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read:

The Clerk read as follows:

FORTIFICATIONS IN INSULAR POSSESSIONS.

For construction of seacoast batteries in the Hawaiian and Philippine islands, \$600,000.

Mr. KEIFER. Mr. Chairman, I move to amend in line 23, page 6, by inserting after the word "islands" in that line the words "one million."

The Clerk read as follows:

Page 6, line 23, after the word "islands" insert "one million," so as to read "one million six hundred thousand dollars."

Mr. KEIFER. Mr. Chairman, I shall not make any further extended remarks in support of this amendment. It is in the line of what I have already said. If this amendment is put in the bill it will provide an appropriation of \$1,600,000 for seacoast batteries in Hawaii and the Philippine Islands, which is little more than two-thirds of the amount recommended and estimated for immediate use, or rather to be expended in the fiscal year ending June 30, 1908. The recommendation of the War Department for purposes of seacoast batteries in the Hawaiian and the Philippine islands, to be expended in the fiscal year thus ending, is \$2,303,000, I believe. So that if my amendment should carry the bill would then provide a little more than two-thirds of the amount believed to be requisite and absolutely necessary for the purpose of seacoast batteries in the Hawaiian and Philippine islands.

It is not enough. I do not like even to be classed with those who want to get along with a small per cent of the absolutely necessary appropriation; but with the hope and belief that if this amendment is adopted the War Department will be able, with \$1,600,000, to adopt some plan, now impossible, by which it can put in some really effective fortifications at Pearl Harbor and Honolulu, in Hawaii, and at Manila, in the Philippine Islands. I thought that the House might be willing, if it is willing to do anything, to make this concession to the wishes of the President of the United States and the Secretary of War, and to the recommendations of the distinguished officers of the Army and Navy and the Taft Board, composed of Secretary Taft and expert, highly educated, trained, and experienced officers of the Army and Navy. Therefore, I offer the amendment just read.

Mr. SMITH of Iowa. Mr. Chairman, just a word. The gentleman has not called the attention of the House to the fact that the items in this bill should be balanced. Seacoast batteries simply mean emplacements. We have balanced the \$600,000 in the bill with the amount allowed for guns in the insular possessions, and if one item be changed without a corresponding change in the other, it throws the entire bill out of balance. So that if this is the only amendment he means to offer the amount would be out of balance with the amount allowed for guns, and if not, he is asking for a very much larger increase than is suggested by the single amendment. Now, we have given the insular possessions \$600,000 more than last year, more than \$600,000 in excess of what they got the year before, and more than they ever got in the history of the insular possessions.

I want to present this one thought in addition, and that is that where we fortify a city we have several forts, and more than one battery to a single fort. So when we appropriate the money, as we are doing, a part at a time, it does not mean a fragmentary construction, but it means the establishment complete of a fort, or of a given number of batteries, just as effective as they will ever be.

I ask that this amendment be voted down.

Mr. KEIFER. Now, Mr. Chairman, I just desire to say a word in reply, if I may be allowed. It is not accurate for the gentleman from Iowa [Mr. SMITH] to say that we have appropriated this year \$600,000 more than last year, and I think he does not mean to make that statement. Last year we attempted to appropriate for Hawaii and the Philippines \$260,000 for coast defenses and this year \$600,000. Something was said about the \$260,000 not being expended. That brings me to say that it was almost impossible to expend it at all, because there was no adequate sum that could be applied in any way, or for any useful purpose, and so it was not expended anywhere. The appropriation last year, as agreed upon in the conference committee on the fortifications bill, was intended to be \$260,000 for Hawaii and the Philippines; but here came in one of those unfortunate things about the enrollment, and it appeared in the law as an appropriation of \$260,000 for the Hawaiian Islands alone. I am informed that that has not been expended, for the reason that they have no sites or places, and that they have no plan or pur-

pose to which they could apply it without wasting it, the amount being so small.

Mr. GRAFF. Will the gentleman yield for a question?

Mr. KEIFER. Certainly.

Mr. GRAFF. Is it not true that \$260,000 was all that was asked for the Hawaiian Islands last year?

Mr. KEIFER. Oh, no; I think not.

Mr. GRAFF. That was all that was asked for that purpose.

Mr. KEIFER. We wanted a larger amount, and my recollection is that we had in our bill a larger sum, but in the committee of conference we agreed upon \$260,000 to be used in the Hawaiian and Philippine islands; but it turned out, with the law as it is now, that that applied only to the Hawaiian Islands. I think that now, if we have an appropriation of \$1,600,000, the War Department can proceed, adopt a definite plan, and in the fiscal year to come can have some sort of real, substantial fortifications at Manila and at Pearl Harbor and Honolulu.

Mr. SULLIVAN. Mr. Chairman, I move to strike out the last word. I do so in order to ask the gentleman from Ohio a question. Is the gentleman's amendment, asking for the increase, based upon the plan of the Taft Board for the fortification of certain places in the insular possessions?

Mr. KEIFER. It is based upon the plan of the War Department, and that, in general, is based upon the plan of the Taft Board, as I understand it. But my proposition is that we shall have this amount of money available in the War Department to make some defense or defenses in the Hawaiian Islands and at Manila that will give us at least naval stations well protected.

Mr. SULLIVAN. Do I understand that this is in part execution of the plan of the Taft Board, which will require the expenditure ultimately of some \$11,000,000 for fortifications at Manila, Subig Bay, Pearl Harbor, and Guantanamo?

Mr. KEIFER. The recommendation and estimate of the War Department for the purpose of seacoast defenses to be expended in the fiscal year ending June 30, 1908, was \$2,303,000. I presume that the Department had a plan in view by which it was to accomplish something, but under the piecemeal appropriation we are now adopting we are to do nothing potential.

Mr. SULLIVAN. I assume that the War Department has some definite plan for fortification of these specified places in the insular possessions, that they are not proceeding in any haphazard way, and that the Taft Board has framed a plan which in its execution will require the expenditure of about \$11,000,000. Now, is it in pursuance of that plan that the gentleman from Ohio offered his amendment for an increase?

Mr. KEIFER. I am unable to say that there is any specific plan except that this amount of money will, I hope, give the Department enough money to adopt an effective plan, and I assume that it is working on the lines of the Taft Board recommendation, which is that there shall be an immediate, effectual fortification of Pearl Harbor and Honolulu and Manila Bay.

Mr. SULLIVAN. I understand, then, the gentleman's purpose is to get Congress to hurry in the execution of this plan and to proceed faster than the committee has recommended?

Mr. KEIFER. Undoubtedly that is the object of the War Department, to proceed so that at a very early day, or as early as practicable, we may have some defenses there where we have not now.

Mr. SULLIVAN. One further question. The gentleman is undoubtedly familiar with the attitude of the War Department; for some time we have been trying to get some definite statement of the policy of this Administration with respect to the future control of the Philippine Islands. I would ask whether the plan of the Taft Board, requiring the expenditure of \$11,000,000, is based upon the idea of the permanent retention of the Philippine Islands by the Government of the United States?

Mr. KEIFER. Mr. Chairman, I would be glad to answer, if I may, that this plan is not necessarily based upon the idea that we shall retain them, but is based upon the idea that so long as we do retain them no nation in the world shall come and take them away from us. [Applause.]

Mr. SULLIVAN. But is the plan of the Taft Board requiring the expenditure of the money which will complete the fortifications based upon the permanent retention of the islands?

Mr. KEIFER. It is a sufficient answer to say that the plan of defense of the Taft Board proceeded upon the idea that we shall not be in the naked condition there that we now are, and have our sovereignty taken from us by the first comer.

Mr. SULLIVAN. It seems to me we ought to find out or get some expression of the policy of this Administration with respect to the duration of our control of the Philippine Islands. If the Taft Board contemplates a complete plan of fortifications, and I understand it does, it would be manifest folly to

execute that plan if it is the policy of the Government to abandon the islands in the near future. It would be a waste of money to fortify islands that we intended to surrender. Therefore it seems to me that it would be economy on the part of the Government, and it would give the people of the country some intelligent idea of what its policy is, if we can get an expression by some one who is in the secrets of the Administration as to the Administration's purpose, and I thought the gentleman's familiarity with the War Department would enable him to speak with some authority.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULLIVAN. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KEIFER. Mr. Chairman, I am not in the secrets of the Administration or of the War Department, but I do know that the War Department stands for the flag of this country wherever it floats and is going to stand for it until the end comes, not that we shall abandon these possessions that have come to us at so much cost, but that we shall make disposition of them if we wish, or retain them through all time. The fact about it is that when we acquired the Philippine Islands we paid \$20,000,000 in cash toward their purchase, as well as paying the expense of the Spanish war, and if we should conclude to sell them to some power or surrender them to an independent government, including the Philippine Islands, then we could make terms for our permanent expense in fortifying them and preserving them, and if the gentleman wants to look further as to the wishes of the War Department, of the President, and various persons in authority, I will call his attention to what he will find in the RECORD of to-morrow's proceedings in the way of extracts from messages and reports, and so forth.

Mr. SULLIVAN. Can not the gentleman briefly tell me whether I will find in that RECORD he mentions any definite expression of the policy of this Government with respect to the islands and their future control?

Mr. KEIFER. This much the gentleman from Massachusetts will find, in all of the messages and recommendations of the President, in all of the reports of the Secretary of War, and in the reports of the boards, that the policy is to defend them and to protect them, and to have defenses built up there so that we can safely do it, and if from that he can draw any inference he will find it all in the RECORD day after to-morrow morning.

Mr. SULLIVAN. Mr. Chairman, I have never been able to draw any inference satisfactory to myself concerning the policy of this Administration with respect to the control of these islands. We have never received any definite information. The nearest approach to definiteness has been the statement that when the people of the Philippine Islands have acquired sufficient intelligence to appreciate the beneficent purpose of the United States Government then they might be trusted with some small measure of local government and, having shown some capacity to administer their local affairs, might eventually be granted from time to time larger shares in the administration of the government of the whole islands. That is the nearest approach to a definite statement that I have read yet, and I think that perhaps the gentleman, out of his abundant and, I think, definite information, might be able to tell us in a more definite way than we have been told yet just what the purpose of the Administration is with respect to these islands. If the gentleman is going to justify the appropriations made from year to year as part of a plan which will require some eleven or twelve millions of dollars to execute upon the theory that we are simply improving these islands, and that we will make some purchaser later on pay the cost of these improvements, I shall have to rest content with that explanation; but if he has any more information, I should like to have the House get the benefit of it.

Mr. KEIFER. Mr. Chairman, I only want to say that if the gentleman from Massachusetts can tell what the disposition of the Congress of the United States is, then he will get nearer to knowing what will be the ultimate disposition of the Philippine Islands.

Mr. SULLIVAN. Well, judging from the expressions I have heard privately in the House, not always publicly, I think most of the Members would not be sorry if the Philippine Islands disappeared beneath the surface of the ocean to-morrow morning, for then the United States would be relieved of the necessity of fortifying and governing them. The islands have ceased to be commercially valuable. No one questions or can question the accuracy of that statement, and I do not think any statesman in America to-day will point out any reason for retaining them any longer, except this one, namely, that if we should abandon them upon the theory that their government is a

nuisance to the United States Government, some other power might take them and thus acquire possession of the nuisance. That does not seem to me to be a sufficient reason for retaining them. Some one has said that if they are not sufficiently fortified some foreign power may take them. I think it would be the best thing that could happen to the people of the United States if some foreign power did take them, for then we should be relieved of the responsibility of paying these extravagant bills for their government and their defense. It has already been pointed out in a very able magazine article by a Republican Member from the State of Massachusetts that all our occupation of the islands has meant to us up to date is this: That they give an exceptional advantage to any foreign power which may engage us in war; thus if Japan should go to war with the United States she would strike immediately at the Philippine Islands and compel us, in order to save the national honor, to concentrate our fleet in the Pacific Ocean, near the coast of the Philippine Islands, drawing that fleet away from the whole west coast of the United States, compelling us to wage a war far from our coal supplies and our supplies of food, and other munitions of war, placing us at a tremendous disadvantage and losing us the benefit of the great stretch of ocean which, up to the time of our acquisition of the Philippine Islands, would have given us a tremendous advantage in a contest with that rising oriental power. Now, then, it seems that our retention of the Philippine Islands simply affords us an opportunity to waste money in time of peace and squander it in time of war. Neither of those seems a sufficient reason for retaining them, and therefore I say it would be a good thing if somebody would take them away from us some dark night.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEIFER. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts be allowed five minutes' additional time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman from Massachusetts be allowed to proceed for five minutes. Is there objection?

Mr. SMITH of Iowa. Mr. Chairman, I do not want to object, but I want a vote on this at a very early moment.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SULLIVAN. I now yield to the gentleman from New York [Mr. PERKINS].

Mr. KEIFER. Will the gentleman allow this inquiry, and I will not interrupt him any more? I understood the gentleman from Massachusetts to say his information from conversations with Members here was that a majority of the House was in favor of abandoning these islands, and I would like to inquire whether he or any Member of this House has ever offered a joint resolution or a bill of any kind looking to the abandonment of those islands?

Mr. SULLIVAN. Oh, no; no member of the majority would dare to vote for that proposition. I think if we could take a secret ballot we would drop the islands by an almost unanimous vote. Of course no member of the minority would waste his time on a losing legislative proposition. The minority is powerless to effect these changes in the law, so no one of the minority has attempted that.

Mr. PERKINS. The only question I was going to ask the gentleman from Massachusetts was in line of the remarks he just made, whether he thinks, as bearing upon this question of the necessity of fortification, that, considering our own experience in the Philippines, the amount of money we have spent, and the small return we have received, it is conceivable that any government could wish to go to work in order to take them away from us?

Mr. SULLIVAN. No; I do not think that any government would wage war against the United States with the Philippine Islands as the stake in the contest, but if Japan should engage in war with the United States she would strike at the Philippine Islands at once and compel the United States to send the Navy there to defend them. National honor would compel that course. [Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and the amendment was rejected.

Mr. KEIFER. Mr. Chairman, I send to the Clerk's desk an amendment to come in immediately after line 23 on page 6 of the bill.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will read.

The Clerk read as follows:

Page 6, after line 23, insert the following:
"For the procurement of a site or sites in the Hawaiian Islands for forts and seacoast batteries, \$100,000."

Mr. SMITH of Iowa. Mr. Chairman, I desire to reserve the point of order upon that amendment. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANX, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 23821—the fortifications bill—and had come to no resolution thereon.

COMMITTEE APPOINTMENT.

The SPEAKER. The Clerk will announce the following committee appointment.

The Clerk read as follows:

The Chair announces the appointment of Representative SHERLEY, of Kentucky, a member of the Committee on the Judiciary, vice Representative LITTLE, resigned.

JOHN INGRAM.

The SPEAKER laid before the House the following message from the President; which was read, referred to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

In compliance with the resolution of the House of Representatives (the Senate concurring therein) of the 11th instant, I return herewith House bill No. 18214, entitled "An act granting an increase of pension to John Ingram."

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 15, 1907.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on War Claims was discharged from the further consideration of the bill (S. 502) for the relief of James A. Russell, and the same was referred to the Committee on Claims.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 6580. An act granting an increase of pension to Ella B. Greene;

S. 6581. An act granting an increase of pension to Joseph W. Lowell;

S. 6583. An act granting an increase of pension to Abram P. Colby;

S. 6822. An act granting an increase of pension to Christopher Christopherson;

S. 6824. An act granting an increase of pension to Byron Canfield;

S. 6825. An act granting an increase of pension to Thomas M. Roberts;

S. 6826. An act granting an increase of pension to Jacob Turner;

S. 6829. An act granting an increase of pension to Thomas P. Cheney;

S. 6881. An act granting an increase of pension to Jefferson Bush;

S. 6882. An act granting an increase of pension to Elisha H. Stephens;

S. 6883. An act granting an increase of pension to Thomas W. White;

S. 6885. An act granting an increase of pension to William H. Anderson;

S. 6942. An act granting an increase of pension to William B. Dow;

S. 6978. An act granting an increase of pension to Samuel Jackson;

S. 6997. An act granting an increase of pension to William Kennedy;

S. 7065. An act granting an increase of pension to Louisa Donaldson;

S. 7077. An act granting an increase of pension to Mary E. Hattan;

S. 7160. An act granting an increase of pension to Kate Myers;

S. 6855. An act to amend the act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea;"

S. R. 76. Joint resolution providing for an extension of time for completing the highway bridge and approaches across the Potomac River at Washington, D. C.;

S. 6019. An act granting a pension to Harriet O'Donald;

S. 6035. An act granting an increase of pension to John Fox;

S. 6051. An act granting an increase of pension to Mary A. Duncan;

S. 6052. An act granting an increase of pension to William E. Redmond;

S. 6131. An act granting an increase of pension to Frances A. Jepson;

S. 6586. An act granting an increase of pension to Wesley J. Ladd;

S. 6591. An act granting an increase of pension to Henry Campbell;

S. 6596. An act granting an increase of pension to Cyrus W. Cobb;

S. 6597. An act granting an increase of pension to Frank H. Read;

S. 6631. An act granting an increase of pension to George W. Hodgman;

S. 6650. An act granting an increase of pension to John A. McGinty;

S. 6645. An act granting an increase of pension to Timothy C. Stilwell;

S. 6632. An act granting an increase of pension to William Davis;

S. 6636. An act granting an increase of pension to Andrew J. Grover;

S. 6705. An act granting an increase of pension to Holmes Clayton;

S. 6707. An act granting an increase of pension to Stephen E. Lemon;

S. 6709. An act granting an increase of pension to Samuel Shawver;

S. 6712. An act granting an increase of pension to Orin Ingram;

S. 6714. An act granting an increase of pension to Joseph Bolshaw;

S. 6717. An act granting an increase of pension to Manasa T. Houser;

S. 6718. An act granting an increase of pension to Augustus L. Holbrook;

S. 6723. An act granting an increase of pension to Augusta P. Morgan;

S. 6767. An act granting an increase of pension to John C. Brown;

S. 6821. An act granting an increase of pension to Jonathan M. Adams;

S. 6814. An act granting a pension to Alice Bosworth;

S. 6819. An act granting an increase of pension to Nelson Bigalow;

S. 10. An act granting an increase of pension to Roswell Prescott;

S. 123. An act granting an increase of pension to William M. Morgan;

S. 480. An act granting an increase of pension to Silas A. Reynolds;

S. 677. An act granting an increase of pension to Albert G. Peabody, jr.;

S. 679. An act granting an increase of pension to Thomas Kelly;

S. 768. An act granting an increase of pension to William H. Rhoads;

S. 771. An act granting an increase of pension to Samuel G. Kreidler;

S. 774. An act granting an increase of pension to August Krueger;

S. 831. An act granting an increase of pension to Isaac G. Clark;

S. 1240. An act granting an increase of pension to Dana W. Hartshorn;

S. 1257. An act granting an increase of pension to Patrick O'Day;

S. 1347. An act granting a pension to Martha W. Pollard;

S. 2563. An act granting a pension to Isaac Carter;

S. 1493. An act granting an increase of pension to Cathrin Huff;

S. 1857. An act granting an increase of pension to William Vantilburgh;

S. 1891. An act granting an increase of pension to Charles F. M. Morgan;

S. 1941. An act granting an increase of pension to Elvira A. Kelly;

S. 2249. An act granting an increase of pension to George W. Smith;

S. 2541. An act granting an increase of pension to Thomas W. Murray;

S. 2643. An act granting an increase of pension to James H. Thrasher;

S. 2669. An act granting an increase of pension to Winfield S. Ramsay;

S. 2734. An act granting an increase of pension to John R. Conyngham;

S. 2737. An act granting an increase of pension to Benjamine Hains;

S. 5741. An act granting an increase of pension to Amelia M. Hawes;
 S. 2749. An act granting an increase of pension to John H. Brooks;
 S. 2794. An act granting an increase of pension to John H. Allison;
 S. 3220. An act granting an increase of pension to Wilbur H. Clark;
 S. 3221. An act granting an increase of pension to Robert Mills;
 S. 3671. An act granting an increase of pension to Louis Castinette;
 S. 3763. An act granting an increase of pension to Mary A. Baker;
 S. 3767. An act granting an increase of pension to Samuel Turner;
 S. 3931. An act granting an increase of pension to Fanny A. Pearsons;
 S. 4032. An act granting an increase of pension to Solomon Craighton;
 S. 4127. An act granting an increase of pension to Samuel Paine;
 S. 4053. An act granting an increase of pension to William A. Smith;
 S. 4406. An act granting an increase of pension to Susan N. Fowler;
 S. 4389. An act granting an increase of pension to Florence B. Plato;
 S. 4542. An act granting an increase of pension to Aaron Daniels;
 S. 4510. An act granting an increase of pension to Rufus C. Allen;
 S. 4771. An act granting an increase of pension to George R. Turner;
 S. 4772. An act granting an increase of pension to Gertrude McNeil;
 S. 4894. An act granting an increase of pension to Robert Ramsey;
 S. 4909. An act granting an increase of pension to Louis Sidel;
 S. 4979. An act granting an increase of pension to Don C. Smith;
 S. 5001. An act granting an increase of pension to Louis A. Baird;
 S. 5067. An act granting an increase of pension to Martin Schultz;
 S. 5073. An act granting an increase of pension to Daniel G. Smith;
 S. 5084. An act granting a pension to John W. Connell;
 S. 5138. An act granting a pension to Jane Metts;
 S. 5156. An act granting an increase of pension to Granville F. North;
 S. 5176. An act granting an increase of pension to Lewis C. Janes;
 S. 5493. An act granting an increase of pension to Marcus Wood;
 S. 5443. An act granting an increase of pension to James D. Merrill;
 S. 5502. An act granting an increase of pension to John B. Coyle;
 S. 5573. An act granting an increase of pension to Gustavus A. Thompson;
 S. 5599. An act granting an increase of pension to Dennis Flaherty;
 S. 5685. An act granting an increase of pension to James M. Jenkins;
 S. 5693. An act granting an increase of pension to Margaret L. Houlihan;
 S. 5725. An act granting an increase of pension to Alonzo S. Prather;
 S. 5727. An act granting an increase of pension to Lucius Rumrill;
 S. 5740. An act granting an increase of pension to Jared Ayer;
 S. 5771. An act granting a pension to Mary E. Thompson;
 S. 5823. An act granting an increase of pension to Nelson Virgin;
 S. 5826. An act granting an increase of pension to Isaac C. Phillips;
 S. 5892. An act granting an increase of pension to Daniel W. Redfield;
 S. 5963. An act granting an increase of pension to James Reed;
 S. 5980. An act granting an increase of pension to Jacob Smith;

S. 6001. An act granting an increase of pension to Emily Killian;
 S. 6005. An act granting an increase of pension to John G. Bridaham;
 S. 6008. An act granting an increase of pension to Joseph Lamont;
 S. 6585. An act granting an increase of pension to Amos Ham;
 S. 6163. An act granting an increase of pension to William H. Westcott;
 S. 6186. An act granting an increase of pension to James L. Estlow;
 S. 6203. An act granting an increase of pension to Francis W. Crommett;
 S. 6230. An act granting an increase of pension to Nellie Paxton;
 S. 6232. An act granting an increase of pension to John L. Anthony;
 S. 6238. An act granting an increase of pension to Hugh S. Strain;
 S. 6239. An act granting an increase of pension to Kate M. Miner;
 S. 6250. An act granting an increase of pension to Alice G. Clark;
 S. 6266. An act granting an increase of pension to Paul Baker;
 S. 6267. An act granting an increase of pension to Denis A. Manning;
 S. 6347. An act granting an increase of pension to Edward R. Cunningham;
 S. 6353. An act granting an increase of pension to Dolores C. Foster;
 S. 6367. An act granting an increase of pension to Joseph Johnston;
 S. 6368. An act granting an increase of pension to Sherrod Hamilton;
 S. 6429. An act granting an increase of pension to Mary L. Beardsley;
 S. 6438. An act granting an increase of pension to Martha J. Haller;
 S. 6466. An act granting an increase of pension to Samuel Moser;
 S. 6485. An act granting an increase of pension to Samuel Cook;
 S. 6505. An act granting an increase of pension to Theodore M. Benton;
 S. 6506. An act granting an increase of pension to Henry Z. Bowman;
 S. 6514. An act granting an increase of pension to Alfred A. Stocker;
 S. 6537. An act granting an increase of pension to William Eppinger;
 S. 6538. An act granting an increase of pension to Betsey A. Hodges;
 S. 6558. An act granting an increase of pension to Samuel A. Pearce;
 S. 6560. An act granting an increase of pension to Reuben D. Dodge;
 S. 6561. An act granting an increase of pension to George W. Blair;
 S. 6568. An act granting an increase of pension to Wilbur F. Hodge;
 S. 6569. An act granting an increase of pension to George Porter;
 S. 6572. An act granting an increase of pension to Aaron L. Roberts;
 S. 6574. An act granting an increase of pension to Maria H. Waggoner;
 S. 6576. An act granting an increase of pension to Michael Meyers; and
 S. 6579. An act granting an increase of pension to Ezekiel Morrill.

PERSONAL REQUEST.

By unanimous consent, Mr. SMITH of Kentucky was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of the estate of Harvey Woodward, Fifty-sixth Congress, no adverse report having been made thereon.

PRINTING HEARINGS.

Mr. LACEY. Mr. Speaker, I ask unanimous consent that the hearings in the Virginia military continental or State land warrants matter and the Ohio University lands be printed as a document, so the results may be preserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Iowa. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and the Chair announced that the yeas seemed to have it.

On motion of Mr. WILLIAMS, the House divided, and there were—ayes 130, noes 60.

Mr. WILLIAMS. Mr. Speaker, let us have tellers.

Mr. SMITH of Iowa. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 143, nays 77, answered "present" 5, not voting 156, as follows:

YEAS—143.

Alexander	Driscoll	Jones, Wash.	Parker
Allen, Me.	Edwards	Kahn	Parsons
Allen, N. J.	Ellis	Keller	Payne
Bannon	Englebright	Kennedy, Ohio	Perkins
Bennet, N. Y.	Esch	Klepper	Pollard
Birdsall	Fletcher	Knowland	Prince
Boutell	Fordney	Lacey	Reeder
Bowersock	Foster, Vt.	Landis, Frederick	Reynolds
Bradley	Fowler	Lilley, Conn.	Rhodes
Brick	French	Littauer	Rives
Brown	Fulkerson	Littlefield	Roberts
Brownlow	Fuller	Longworth	Samuel
Burke, S. Dak.	Gaines, W. Va.	Loud	Sibley
Calder	Gardner, Mass.	Loudenslager	Smith, Ill.
Campbell, Ohio	Gardner, Mich.	Lovering	Smith, Iowa
Capron	Gilham	Lowden	Smith, Pa.
Cassel	Gillett	McKinley, Ill.	Smyser
Chapman	Graft	McKinney	Southard
Clark, Fla.	Graham	Mahon	Sterling
Cocks	Gronna	Mann	Stevens, Minn.
Conner	Hale	Marshall	Sulloway
Cooper, Wis.	Hamilton	Martin	Tawney
Coudrey	Haskins	Miller	Taylor, Ohio
Cromer	Haugen	Minor	Townsend
Crumpacker	Hayes	Moon, Pa.	Volstead
Cushman	Hepburn	Moore, Pa.	Wachter
Dale	Hermann	Mouser	Waldo
Dalzell	Higgins	Mudd	Washburn
Darragh	Hinshaw	Murdock	Watson
Davis, Minn.	Howell, N. J.	Murphy	Webber
Dawes	Howell, Utah	Needham	Weeks
Dawson	Hubbard	Nelson	Weems
Deemer	Huff	Norris	Wharton
Denby	Hull	Olcott	Wiley, N. J.
Dovener	Humphrey, Wash.	Olmsted	Young
Draper	Jenkins	Otjen	

NAYS—77.

Alken	Glass	Lee	Sherley
Bankhead	Goulden	Legare	Sims
Beall, Tex.	Granger	Livingston	Small
Brooks, Tex.	Gregg	Lloyd	Smith, Ky.
Brundidge	Gudger	Macon	Smith, Tex.
Burgess	Hay	Maynard	Southall
Burnett	Hedlin	Padgett	Sparkman
Byrd	Henry, Tex.	Page	Stephens, Tex.
Candler	Hill, Miss.	Patterson, N. C.	Sullivan
De Armond	Houston	Patterson, S. C.	Taylor, Ala.
Dixon, Ind.	Howard	Pou	Thomas, N. C.
Ellerbe	Humphreys, Miss.	Pujo	Underwood
Field	Hunt	Reid	Wallace
Fitzgerald	James	Richardson, Ala.	Webb
Floyd	Jones, Va.	Robinson, Ark.	Williams
Gaines, Tenn.	Kellher	Russell	Wilson
Garner	Kitchin, Claude	Ryan	Zenor
Garrett	Kitchin, Wm. W.	Saunders	
Gill	Kline	Shackleford	
Gillespie	Lamar	Sheppard	

ANSWERED "PRESENT"—5.

Bartlett	Currier	Grosvenor	Meyer
Beil, Ga.			

NOT VOTING—156.

Acheson	Calderhead	Greene	McCleary, Minn.
Adamson	Campbell, Kans.	Griggs	McCreary, Pa.
Ames	Chaney	Hardwick	McDermott
Andrus	Clark, Mo.	Hearst	McGavin
Babcock	Clayton	Hedge	McKinlay, Cal.
Barchfeld	Cockran	Henry, Conn.	McLachlan
Bartholdt	Cole	Hill, Conn.	McLain
Bates	Cooper, Pa.	Hogg	McMoran
Bede	Cousins	Holliday	McNary
Beldier	Curtis	Hopkins	Madden
Bennett, Ky.	Davey, La.	Hughes	Michalek
Bingham	Davidson	Johnson	Mondell
Bishop	Davis, W. Va.	Kennedy, Nebr.	Moon, Tenn.
Blackburn	Dickson, Ill.	Kinkaid	Moore, Tex.
Bonyng	Dixon, Mont.	Knapp	Morrell
Bowers	Dresser	Knapp	Nevin
Bowie	Dunwell	Lafan	Overstreet, Ga.
Brantley	Dwight	Lamb	Overstreet, Ind.
Brooks, Colo.	Fassett	Landis, Chas. B.	Palmer
Broussard	Finley	Law	Pearre
Brumm	Flack	Lawrence	Powers
Buckman	Flood	Le Fevre	Rainey
Burke, Pa.	Foss	Lewis	Randell, Tex.
Burleigh	Foster, Ind.	Lewis	Ransdell, La.
Burleson	Garber	Lilley, Pa.	Reynolds
Burton, Del.	Gardner, N. J.	Lindsay	Rhinock
Burton, Ohio	Gilbert	Lorimer	Richardson, Ky.
Butler, Pa.	Goebel	McCall	Riordan
Butler, Tenn.	Goldfogle	McCarthy	Rixey

Robertson, La.	Slomp	Stanley	Van Winkle
Rodenberg	Smith, Cal.	Steenerson	Vreeland
Rucker	Smith, Md.	Sulzer	Wadsworth
Ruppert	Smith, Samuel W.	Talbott	Wanger
Schneebell	Smith, Wm. Alden	Thomas, Ohio	Watkins
Scott	Snapp	Tirrell	Weisse
Scroggy	Southwick	Towne	Welborn
Shartel	Sperry	Trimble	Wiley, Ala.
Sherman	Spight	Tyndall	Wood
Slayden	Stafford	Van Duzer	Woodyard

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. VAN WINKLE with Mr. McDERMOTT.

Mr. WANGER with Mr. ADAMSON.

Mr. SHERMAN with Mr. RUPPERT.

Mr. CURRIER with Mr. FINLEY.

Until further notice:

Mr. LILLEY of Pennsylvania with Mr. GILBERT.

Mr. MORRELL with Mr. RIORDAN.

Mr. McCALL with Mr. ROBERTSON of Louisiana.

Mr. BINGHAM with Mr. COCKRAN.

For the 15th and 16th:

Mr. GROSVENOR with Mr. CLARK of Missouri.

For the day:

Mr. McCREARY of Pennsylvania with Mr. WEISSE.

Mr. BARCHFELD with Mr. TALBOTT.

Mr. BUTLER of Pennsylvania with Mr. BARTLETT.

Mr. BURTON of Delaware with Mr. BELL of Georgia.

Mr. SOUTHWICK with Mr. BURLESON.

Mr. CURTIS with Mr. RHINOCK.

Mr. DRESSER with Mr. HEARST.

Mr. WM. ALDEN SMITH with Mr. SULZER.

Mr. BURKE of Pennsylvania with Mr. LINDSAY.

Mr. FOSS with Mr. MEYER.

Mr. TYNDALL with Mr. VAN DUZER.

Mr. WOODYARD with Mr. HARDWICK.

Mr. REYBURN with Mr. WILEY of Alabama.

Mr. SMITH of California with Mr. TRIMBLE.

Mr. TIRRELL with Mr. TOWNE.

Mr. WOOD with Mr. STANLEY.

Mr. VREELAND with Mr. SPIGHT.

Mr. THOMAS of Ohio with Mr. SMITH of Maryland.

Mr. SAMUEL W. SMITH with Mr. RUCKER.

Mr. POWERS with Mr. RIXEY.

Mr. PEARRE with Mr. SLAYDEN.

Mr. MONDELL with Mr. RICHARDSON of Kentucky.

Mr. MADDEN with Mr. RANDELL of Texas.

Mr. LE FEVRE with Mr. OVERSTREET of Georgia.

Mr. LAWRENCE with Mr. RAINEY.

Mr. LAFEAN with Mr. MOORE of Texas.

Mr. KNAPP with Mr. McNARY.

Mr. HOLLIDAY with Mr. McLAIN.

Mr. FASSETT with Mr. MOON of Tennessee.

Mr. DWIGHT with Mr. LEWIS.

Mr. GREENE with Mr. JOHNSON.

Mr. GOEBEL with Mr. LEVER.

Mr. DAVIDSON with Mr. HOPKINS.

Mr. COUSINS with Mr. LAMB.

Mr. CALDERHEAD with Mr. WATKINS.

Mr. CAMPBELL of Kansas with Mr. GRIGGS.

Mr. BURLEIGH with Mr. GOLDFOGLE.

Mr. BRUMM with Mr. GABBER.

Mr. BROOKS of Colorado with Mr. FLOOD.

Mr. BONYNGE with Mr. DAVIS of West Virginia.

Mr. BURTON of Ohio with Mr. DAVEY of Louisiana.

Mr. BEDE with Mr. CLAYTON.

Mr. BARTHOLDT with Mr. BUTLER of Tennessee.

Mr. BABCOCK with Mr. BROUSSARD.

Mr. ANDRUS with Mr. BRANTLEY.

Mr. AMES with Mr. BOWIE.

Mr. ACHESON with Mr. BOWERS.

Accordingly (at 4 o'clock and 15 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, submitting, with the report of a commission appointed to make investigations of certain conditions relative to the United States court-house and post-office in New York City, recommendations for the enlargement of the same—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CUSHMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 23560) to authorize the construction of a bridge across the Columbia River between Benton and Franklin counties, in the State of Washington, by the North Coast Railroad Company, reported the same with amendment, accompanied by a report (No. 6392); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 23561) to authorize the construction of a bridge across the Columbia River between Walla Walla and Benton counties, in the State of Washington, by the North Coast Railroad Company, reported the same with amendment, accompanied by a report (No. 6393); which said bill and report were referred to the House Calendar.

Mr. RYAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 23578) to authorize the county of Clay, in the State of Arkansas, to construct a bridge across Black River at or near Bennetts Ferry, in said county and State, reported the same without amendment, accompanied by a report (No. 6394); which said bill and report were referred to the House Calendar.

Mr. BARTHOLDT, from the joint committee under section 25 of act to increase limit of cost of certain public buildings, etc., submitted a report (No. 6396); which said report was ordered to be printed.

Mr. GAINES of West Virginia, from the Committee on Election of President, Vice-President, and Representatives in Congress, to which was referred the bill of the Senate (S. 4563) to prohibit corporations from making money contributions in connection with political elections, reported the same with amendment, accompanied by a report (No. 6397); which said bill and report were referred to the House Calendar.

He also, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 24109) to authorize the Norfolk and Western Railway to construct sundry bridges across the Tug Fork of the Big Sandy River, reported the same without amendment, accompanied by a report (No. 6398); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 23383) to amend an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, reported the same with amendment, accompanied by a report (No. 6399); which said bill and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution of the Senate (S. R. 80) authorizing the Secretary of War to furnish two 3-inch wrought-iron muzzle-loading cannon, with their carriages, limbers, and accessories, to the State of South Dakota, reported the same with amendment, accompanied by a report (No. 6400); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 15437) providing for the donation of condemned cannon to the University of Idaho, reported the same with amendment, accompanied by a report (No. 6401); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 16235) authorizing the Secretary of War to deliver condemned brass field pieces to the city of Petoskey, Mich., reported the same with amendment, accompanied by a report (No. 6402); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 195) authorizing the Secretary of War to furnish two condemned cannon to the mayor of the town of Preston, Iowa, reported the same with amendment, accompanied by a report (No. 6403); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DAWSON, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 19284) for the relief of James Behan, reported the same without amendment, accompanied by a report (No. 6391); which said bill and report were referred to the Private Calendar.

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 23889) authorizing the Secretary of the Interior to issue deed of conveyance to Lyman Ballou to certain lands in Custer County, S. Dak., reported the same without amendment, accompanied by a report (No. 6395); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WILSON: A bill (H. R. 24271) in relation to the Illinois and Michigan Canal and granting to the State of Illinois all rights, easements, and title of the United States in, to, and into that portion of said canal lying between the upper basin situated in the city of Joliet and Lake Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. BUCKMAN: A bill (H. R. 24272) permitting the building of a dam across the Mississippi River at or near Pike Rapids, in Morrison County, Minn.—to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN: A bill (H. R. 24273) for the protection of game animals, birds, and fishes in the Black Hills Forest Reserve of the United States, in the State of South Dakota.—to the Committee on the Public Lands.

By Mr. BOWERSOCK: A bill (H. R. 24274) providing for the appointing and keeping of a deputy marshal and a deputy clerk of the circuit and district courts for the district of Kansas, at Kansas City, Kans.—to the Committee on the Judiciary.

By Mr. GRIGGS: A bill (H. R. 24275) permitting the building of a dam across the Flint River at Porter Shoals—to the Committee on Interstate and Foreign Commerce.

By Mr. DENBY: A bill (H. R. 24276) to amend section 3469 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. FLETCHER: A bill (H. R. 24277) providing for the erection of a post-office building in the city of Minneapolis, Minn.—to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 24278) to suspend for a period of five years the duty on structural steel and other necessary building material to be used in the rehabilitation of the stricken cities in the State of California that suffered damage by earthquake or conflagration on April 18, 19, and 20, 1906—to the Committee on Ways and Means.

By Mr. ALLEN of Maine: A bill (H. R. 24279) to appropriate money for the purchase of Cushings Island—to the Committee on Appropriations.

By Mr. SMALL: A bill (H. R. 24280) making an appropriation for the improvement and construction of the inland waterway between Norfolk, Va., and Beaufort Inlet, North Carolina—to the Committee on Rivers and Harbors.

By Mr. HUBBARD: A bill (H. R. 24281) to fix the time of holding circuit and district courts in the northern district of Iowa—to the Committee on the Judiciary.

By Mr. PEARRE: A bill (H. R. 24282) to provide for the examination and license of all telegraph operators engaged in handling block signals and telegraphic train orders affecting the movement of trains on all railroads engaged in interstate commerce in the United States, and to limit their hours of employment to eight hours in each day of twenty-four hours—to the Committee on Interstate and Foreign Commerce.

By Mr. BUCKMAN: A bill (H. R. 24283) permitting the building of a railway bridge across the Mississippi River, in Morrison County and State of Minnesota—to the Committee on Interstate and Foreign Commerce.

By Mr. PEARRE: A bill (H. R. 24284) for the opening of Warren and Forty-sixth streets NW., in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 24285) to

provide for holding terms of United States courts at Clarksdale, Miss.—to the Committee on the Judiciary.

By Mr. BRUNDIDGE: A bill (H. R. 24286) to extend the time limit within which the requirements of an act entitled "An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the White River, Arkansas, and for other purposes," approved June 26, 1906, may be complied with—to the Committee on Rivers and Harbors.

By Mr. HUGHES: A resolution (H. Res. 759) relating to messenger service in the office of disbursing clerk of the House—to the Committee on Accounts.

By Mr. OVERSTREET of Indiana: A resolution (H. Res. 760) increasing the salary of the Assistant Chief Clerk of the House—to the Committee on Accounts.

By Mr. BUTLER of Pennsylvania: A resolution (H. Res. 761) to pay John J. Cameron, assistant official reporter of the House, an increase of salary—to the Committee on Accounts.

By Mr. MAHON: A resolution (H. Res. 762) increasing the salary of the assistant in the Clerk's office of the House—to the Committee on Accounts.

By Mr. LOUDENSLAGER: A resolution (H. Res. 763) providing for the payment, out of the contingent fund, of the sum of \$300 to the messenger to the Chief Clerk of the House—to the Committee on Accounts.

By Mr. CHARLES B. LANDIS: A resolution (H. Res. 764) providing for the printing of 5,000 copies of the pure-food law, approved June 30, 1906, etc.—to the Committee on Printing.

Also, a joint resolution (H. J. Res. 219) providing for an increase in the number of copies to be printed of the Annual Report of the Comptroller of the Currency—to the Committee on Printing.

By Mr. HILL of Connecticut: A resolution (H. Res. 765) for the relief of Clara Morgan—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 24287) granting a pension to Robert M. Jones—to the Committee on Pensions.

By Mr. ALLEN of Maine: A bill (H. R. 24288) granting an increase of pension to John Gooding—to the Committee on Invalid Pensions.

By Mr. BEALL of Texas: A bill (H. R. 24289) granting an increase of pension to Margaret E. Hilton—to the Committee on Pensions.

By Mr. BENNETT of Kentucky: A bill (H. R. 24290) granting an increase of pension to Johnson Everman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24291) granting an increase of pension to James A. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24292) granting an increase of pension to Josiah Paris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24293) granting an increase of pension to Nancy V. Hubbard—to the Committee on Pensions.

By Mr. BOWERSOCK: A bill (H. R. 24294) granting a pension to D. R. Lamoreau—to the Committee on Invalid Pensions.

By Mr. BURTON of Ohio: A bill (H. R. 24295) granting an increase of pension to George A. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24296) granting an increase of pension to J. Otis Richmond—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 24297) granting an increase of pension to Josiah T. Middleton—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 24298) granting an increase of pension to William T. Wiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24299) granting an increase of pension to William B. Doyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24300) granting a pension to Sadie E. Hawthorn—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 24301) granting an increase of pension to James M. Harman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24302) granting an increase of pension to William Inman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24303) granting an increase of pension to Gillum M. Ezell—to the Committee on Pensions.

Also, a bill (H. R. 24304) granting an increase of pension to Susan W. McClure—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 24305) granting an increase of pension to Austin Green—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 24306) granting a pension to Cynthia E. Smith—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 24307) granting an increase of pension to Donaldson Farley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24308) granting an increase of pension to Lyman Thompson—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 24309) granting an increase of pension to Isaac H. Isaacs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24310) to pay Marshall N. De Long for extra services as an engineer while in the service of the United States—to the Committee on Claims.

Also, a bill (H. R. 24311) to complete the military record of Joshua C. Warrick and granting him an honorable discharge—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 24312) granting a pension to Lucinda F. Slater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24313) granting an increase of pension to Horatio N. Peabody—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 24314) granting an increase of pension to James Henderson—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 24315) for the relief of the estate of Charles A. Hull, deceased—to the Committee on Claims.

Also, a bill (H. R. 24316) granting a pension to Melvina W. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24317) granting an increase of pension to Charles L. Simmons—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 24318) granting a pension to Alfred Merrell—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 24319) granting a pension to Abraham Facto—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 24320) granting an increase of pension to Benjamin F. Boots—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24321) granting an increase of pension to Belah H. Wilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24322) granting an increase of pension to Mary C. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24323) granting an increase of pension to Talcott M. Brown—to the Committee on Pensions.

Also, a bill (H. R. 24324) granting an increase of pension to Eunice E. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24325) for the relief of T. S. Williams—to the Committee on the Post-Office and Post-Roads.

By Mr. FULKERSON: A bill (H. R. 24326) granting an increase of pension to Benjamin Malam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24327) granting an increase of pension to Silas R. Owen—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 24328) granting an increase of pension to Jeremiah M. Martin—to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 24329) for the relief of certain persons who sustained injuries in person and property at Brownsville, Tex., on August 13, 1906—to the Committee on Claims.

By Mr. HAYES: A bill (H. R. 24330) granting a pension to Betsey E. Higgins—to the Committee on Invalid Pensions.

By Mr. HUBBARD: A bill (H. R. 24331) granting an increase of pension to Martin J. P. Jenness—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24332) granting an increase of pension to Leander L. Chapman—to the Committee on Invalid Pensions.

By Mr. KENNEDY of Nebraska: A bill (H. R. 24333) granting a pension to Beatrice H. Duncan—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 24334) granting an increase of pension to Emma Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24335) granting an increase of pension to Mary Mount—to the Committee on Invalid Pensions.

By Mr. MCKINNEY: A bill (H. R. 24336) for the relief of Francis H. Connelly—to the Committee on Claims.

By Mr. MADDEN: A bill (H. R. 24337) granting an increase of pension to Francis M. Baker—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 24338) granting an increase of pension to James M. Gardner—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 24339) grant-

ing a pension to Margaret Bresnehan—to the Committee on Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 24340) granting an increase of pension to James T. Foster—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 24341) for the relief of the estates of Bolling Gordon and Richard Gordon—to the Committee on War Claims.

By Mr. PARSONS: A bill (H. R. 24342) granting an increase of pension to Edward M. Lee—to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 24343) granting an increase of pension to James M. Haney—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Kentucky: A bill (H. R. 24344) granting an increase of pension to John H. James—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 24345) granting a pension to David Hubert—to the Committee on Invalid Pensions.

By Mr. SAMUEL: A bill (H. R. 24346) granting an increase of pension to Jonathan Rumberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24347) granting an increase of pension to Jacob B. Getter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24348) granting an increase of pension to Smith Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24349) granting an increase of pension to Mary Jane Schreyer—to the Committee on Invalid Pensions.

By Mr. SHARTEL: A bill (H. R. 24350) granting right to Peter McMillen and Lewis L. Allen to sue in Court of Claims—to the Committee on Claims.

By Mr. SHERLEY: A bill (H. R. 24351) granting an increase of pension to Andrew Krakel—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 24352) granting an increase of pension to Archibald Bamber—to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 24353) granting an increase of pension to DeWitt C. Carpenter—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 24354) granting a pension to Harriet M. Wandell—to the Committee on Invalid Pensions.

By Mr. WASHBURN: A bill (H. R. 24355) granting a pension to Mary O. Learned—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 24356) for the relief of W. J. Roberts—to the Committee on Military Affairs.

By Mr. WEEKS: A bill (H. R. 24357) to correct the naval record of Edgar F. Crawford—to the Committee on Naval Affairs.

By Mr. WILEY of Alabama: A bill (H. R. 24358) granting an increase of pension to John R. Cauley—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 24359) for the relief of Mrs. Mary S. Miller and Charles E. Bullock, heirs of J. L. W. Bullock, deceased—to the Committee on War Claims.

By Mr. ZENOR (by request): A bill (H. R. 24360) granting an increase of pension to Jeremiah F. Pittman—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 20320) granting an increase of pension to Charles Hussey—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 23453) granting an increase of pension to Margaret T. Everly—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 24146) for the relief of John H. Butman—Committee on Invalid Pensions discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 24188) granting an increase of pension to Samuel Moore—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 24191) for the relief of Leonard Keeling—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 24200) to remove the charge of desertion standing against Jerry Fritts—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 1362) granting an increase of pension to Simon

Olsen—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9768) granting an increase of pension to Mary H. Stacy—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18104) granting a pension to Wesley Duncan—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 23981) granting an increase of pension to Sarah Elizabeth Fuller—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 23984) granting an increase of pension to Jacob Miller—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of West End Business Men's Association, of St. Louis, against action of Rivers and Harbors Committee relative to request for hearing—to the Committee on Rivers and Harbors.

Also, petition of Washington National Monument Society, for appropriation to pave around the Monument—to the Committee on Appropriations.

By Mr. ALLEN of New Jersey: Petition of the Dilliston Lumber Company, Paterson, N. J., for extension of waterways of the country, and particularly for deepening of the Passaic River from Newark Bay to Paterson, N. J.—to the Committee on Rivers and Harbors.

Also, petition of State Camp of New York, Patriotic Order Sons of America, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. BANNON: Papers to accompany bill H. R. 23952, granting an increase of pension to Hiram N. Wallace—to the Committee on Invalid Pensions.

By Mr. BATES: Petition of Evan D. Evans, of Erie, Pa., against amendment to copyright bill—to the Committee on Patents.

By Mr. BEALL of Texas: Paper to accompany bill for relief of Margaret E. Hilton—to the Committee on Pensions.

Also, petition of Texas Baptist Herald, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BELL of Georgia: Petition of 73 citizens of Dahlonega, Ga., to accompany bill H. R. 24117—to the Committee on Coinage, Weights, and Measures.

Also, paper to accompany bill for relief of Sarah L. Bowen—to the Committee on Invalid Pensions.

By Mr. BENNETT of Kentucky: Paper to accompany bill for relief of James W. Fisher—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petition of S. S. Woodman, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. DAWSON: Petition of Tri-City Labor Congress, of Rock Island and Moline, Ill., and Davenport, Iowa, for House bill 17562, for investigation of women and child workers of United States—to the Committee on Labor.

By Mr. DOVENER: Paper to accompany bill for relief of Mary A. Biggs—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of heirs of Lucinda Mure Thomas—to the Committee on Claims.

By Mr. FLOYD: Paper to accompany bill for relief of Ben Mahuren—to the Committee on Claims.

Also, paper to accompany bill for relief of Leonard Keeling—to the Committee on Military Affairs.

By Mr. FULLER: Petition of Publishers' League of New York City, against tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Illinois State Teachers' Association, for simplified spelling—to the Committee on Revision of Laws.

Also, petition of Pennsylvania State Camp, Patriotic Order Sons of America, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, paper to accompany bill for relief of Ella C. Washburn—to the Committee on Invalid Pensions.

Also, petition of Charles K. Harris, for Senate bill 6330, relative to copyright of musical compositions—to the Committee on Patents.

By Mr. GAINES of Tennessee: Paper to accompany bill for relief of Eliza P. Wilson—to the Committee on War Claims.

By Mr. GARNER: Paper to accompany bill for relief of William Davis—to the Committee on Pensions.

Also, paper to accompany bill for relief of certain persons who

sustained injury in person and property at Brownsville, Tex., August 13, 1906—to the Committee on Claims.

By Mr. GOULDEN: Petition of Joseph Shaffner, Westchester, N. Y., and 60 citizens of Westchester, N. Y., for improvement of Westchester Creek, New York Harbor—to the Committee on Rivers and Harbors.

By Mr. GRAFF: Petition of State Grange of Illinois, Patrons of Husbandry, against ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of State Grange of Illinois, Patrons of Husbandry, for free trade with Canada—to the Committee on Ways and Means.

Also, petition of Illinois State Grange, Patrons of Husbandry, against free seeds—to the Committee on Agriculture.

Also, petition of Illinois State Grange, Patrons of Husbandry, against parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Illinois State Grange, Patrons of Husbandry, for deep waterways, via Illinois and Mississippi River, from Lakes to Gulf—to the Committee on Rivers and Harbors.

Also, petition of State Grange of Illinois, Patrons of Husbandry, for constitutional amendment providing for election of Senators by direct vote of people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, petition of State Grange of Illinois, Patrons of Husbandry, for postal-savings bank—to the Committee on the Post-Office and Post-Roads.

By Mr. GUDGER: Petition of the Asheville Citizen and the Asheville Gazette-News, against tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Blue Ridge Lodge, No. 455, Southern Railway, Asheville, N. C., against the sixteen-hour bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HARDWICK: Paper to accompany bill for relief of John Loughmiller—to the Committee on Invalid Pensions.

By Mr. HAYES: Paper to accompany bill for relief of Betsey E. Higgins—to the Committee on Invalid Pensions.

Also, petition of L. E. Thurston et al., citizens of San Jose, Cal., against employment of Asiatic coolies in Panama Zone—to the Committee on Labor.

By Mr. HERMANN: Petition of Kennewick Commercial Club, State of Washington, for improvement of Columbia River—to the Committee on Rivers and Harbors.

By Mr. HOPKINS: Paper to accompany bill for relief of H. D. Coombs—to the Committee on Pensions.

By Mr. HUBBARD: Petition of Sioux City Stock Exchange, favoring the reciprocity demurrage bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HUNT: Petition of T. S. Beeler Lodge, No. 19, Brookfield, Mo., for the sixteen-hour bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of West End Business Men's Association, St. Louis, against action of River and Harbor Committee relative to request for hearing—to the Committee on Rivers and Harbors.

Also, petition of general protective board, Brotherhood of Locomotive Firemen and Engineers, Union Pacific system, Cheyenne, Wyo., against passage of sixteen-hour bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Nebraska: Petition of Western Fruit Jobbers' Association, for an annual appropriation of \$50,000,000 for rivers and harbors generally and specifically for improvement of Missouri River—to the Committee on River and Harbors.

By Mr. KLINE: Petition of Alexander Hamilton Council, No. 28, Daughters of America; Alburts Council, No. 1014; Jordan Council, No. 746; New Tripoli Council, No. 204, and Charles A. Gerasch Council, No. 1004, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, petition of the Labor Advocate, Reading, Pa., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LEVER: Paper to accompany bill for relief of Elizabeth Hodge—to the Committee on Pensions.

By Mr. LLOYD: Petition of women of Palmyra, for the Crane bill to establish children's bureau—to the Committee on Education.

By Mr. LOUDENSLAGER: Petition of State Federation of Women's Clubs of New Jersey, for Senate bill to inquire into status of child labor in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Wenonah, N. J., for the McCumber-Sperry-Tirrell bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Democrat, Camden, N. J., against tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Monday Afternoon Club, Passaic, N. J., for forest-reservation legislation—to the Committee on Agriculture.

By Mr. LOWDEN: Petition of National Business League, for conservation of the public lands—to the Committee on the Public Lands.

Also, petition of National Business League, for consular improvement—to the Committee on Foreign Affairs.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of James T. Foster—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Petition of the Daily Register, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. OVERSTREET of Indiana: Papers relative to postal savings bank of Great Britain—to the Committee on Foreign Affairs.

By Mr. PADGETT: Paper to accompany bill for relief of Richard Gordon and Boling Gordon—to the Committee on War Claims.

By Mr. PAYNE: Petition of citizens of Auburn, N. Y., favoring passage of Littlefield bill, relative to interstate transportation of liquor—to the Committee on the Judiciary.

By Mr. PEARRE: Papers to accompany a bill to amend sections 190, 193, and 194 of the Code of Law for the District of Columbia, relative to coroner and inquisitions before him—to the Committee on the District of Columbia.

By Mr. SHERMAN: Petition of Carl K. Frey, Utica, N. Y., against certain proposed amendments to copyright law—to the Committee on Patents.

By Mr. SMITH of Kentucky: Paper to accompany bill for relief of William P. Routt—to the Committee on Invalid Pensions.

By Mr. RANDELL of Texas: Petition of Denison Board of Trade, for improvement of upper Red River—to the Committee on Rivers and Harbors.

By Mr. ROBINSON of Arkansas: Petition of George W. Know et al., of Monticello, Ark., for legislation to increase efficiency of personnel of the Navy—to the Committee on Naval Affairs.

Also, petition of D. C. Butler et al., of Malvern, Ark., for appropriation of \$50,000 for cotton farm demonstration—to the Committee on Agriculture.

Also, paper to accompany bill for relief of James C. Minor—to the Committee on War Claims.

By Mr. STAFFORD: Petition of New Immigration Protective League, against Lodge-Gardner bill—to the Committee on Immigration and Naturalization.

By Mr. TAWNEY: Papers and affidavits to accompany bill granting an increase of pension to Archibald Bember—to the Committee on Invalid Pensions.

By Mr. WALLACE: Paper to accompany bill for relief of Harry E. Courtney—to the Committee on War Claims.

By Mr. WHARTON: Petition of Adolph C. Hottenroth et al., for immediate amendment of currency law—to the Committee on Banking and Currency.

By Mr. WILEY: Paper to accompany bill for relief of Charles Hussey—to the Committee on Invalid Pensions.

By Mr. ZENOR: Paper to accompany bill for relief of George W. Bogle—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, January 16, 1907.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

H. R. 19976. An act to provide for the appointment of an additional district judge in and for the southern district of the State of Ohio; and

H. R. 20990. An act to create a new division of the southern judicial district of Iowa and to provide for terms of court at Ottumwa, Iowa, and for a clerk for said court, and for other purposes.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 17624. An act to amend an act entitled "An act to amend section 4405 of the Revised Statutes of the United States," approved March 3, 1905;